



**Public Meeting Room A  
Delta Administration Building  
7710 West Saginaw Highway  
Lansing, MI 48917**

**TOWNSHIP BOARD  
REGULAR MEETING  
AGENDA  
April 21 2014  
6:00 P.M.**

- I. CALL TO ORDER**
- II. OPENING CEREMONIES – Pledge of Allegiance**
- III. ROLL CALL – Members:** Supervisor Ken Fletcher, Clerk Mary Clark, Treasurer Howard Pizzo, Trustees Dennis Fedewa, Jeff Hicks, R. Douglas Kosinski, Karen Mojica
- IV. PRESENTATIONS AND PROCLAMATIONS**
  - 1. 2013 Audit Presentation, Bruce Dunn of Maner Costerisan**
  - 2. Parks, Recreation, and Cemeteries Commission Recognitions**
    - a. Regina Root
    - b. Calvin Jones
- V. SET/ADJUST AGENDA**
- VI. PUBLIC HEARINGS**
  - 3. New Class C Resort Liquor License, Regal Cinemas, Inc.**
    - a. Public Hearing
    - b. Board Resolution
- VII. COMMUNICATIONS**
- VIII. PUBLIC COMMENTS FOR ITEMS NOT ON AGENDA (*maximum two minutes*)**
- IX. INTRODUCTION OF ORDINANCES**
  - 4. Introduction of Proposed Chapter 43 of the Delta Township Code of Ordinances**

The Community Development Department recommends that the Township Board introduce the proposed Chapter 43 of the Delta Township Code of Ordinances, which would regulate the display of tents.
  - 5. Introduction of Proposed Sections 42-5 and 42-34 of the Delta Township Code of Ordinances.**

The Community Development Department recommends that the Township Board introduce the proposed amendments to the Delta Township Code of Ordinances.

**X. PASSAGE OF ORDINANCES**

**XI. CONSENT AGENDA** – Anyone may request item/s to be pulled from the consent agenda for discussion. If left on the consent agenda, the items will be voted on by a roll call vote of the Board en masse. Then, the individual item/s will be discussed and voted upon.

**6. Bills and Financial Transactions**  
\$2,816,600.89

**7. Minutes**  
March 10, 2014 Committee of the Whole Minutes  
March 17, 2014 Regular Board Meeting Minutes  
April 14, 2014 Committee of the Whole Minutes

**8. Acceptance of D & K Truck Utility Agreement**  
The Community Development Department recommends that the Township Board approve the Municipal Utility Agreement submitted by D&K Truck Company for the extension of water mains to serve their proposed facility.

**9. St. Gerard's Amusement/Entertainment Permit**  
The Clerk's Office recommend that the Township Board grant an amusement and entertainment license to St. Gerard Church for their annual festival that is scheduled to take place on May 3, 2014.

**10. St. Gerard's Noise Ordinance Waiver**  
The Manager's Office recommends that the Township Board grant a waiver to the Delta Township Noise Ordinance to St. Gerard Church for their annual festival that is scheduled to take place on May 3, 2014.

**XII. ITEMS REMOVED FROM CONSENT AGENDA FOR DISCUSSION**

**XIII. ITEMS ADDED TO AGENDA UNDER SECTION V. SET/ADJUST AGENDA**

**XIV. ITEMS OF BUSINESS**

**11. Final Consideration of Art Baryames Rezoning Request, Case No. 2-14-4**  
The Community Development Department recommends that the Township Board approve the request to rezone the property described in Case No. 2-14-4 from O, Office to B2, Community Commercial.

**12. Recommendation to Grant a Preliminary Private Road Permit**  
The Community Development Department recommends that the Township Board grant a Preliminary Private Road Permit to St. Joe Holding Company, LLC, for the construction of the private road for parcels 040-018-300-101-00 & 040-018-300-140-00.

**13. Recommendation to Purchase Fine Bubble Diffusers**  
The Utilities Department recommends that the Township Board accept the quote from Refraction Company in the amount of \$60,000 plus freight to purchase diffusers for our waste water treatment plant.

**14. Recommendation for Acceptance of the Bid for the Snow Road Water Tower Painting**  
The Utilities Department recommends that the Township Board accept the bid from L & T Painting for the painting of the Snow Road Water Tower in the amount of \$101,900.00.

**15. Recommendation to Approve Contract with Carlisle/Wortman Associates, Inc.**

The Community Development Department recommends that the Township Board contract the professional services of Carlisle/Wortman Associates, Inc., for the purpose of updating the Delta Township Zoning Ordinance.

**16. Recommendation to Award 2014 Water System Improvements Contracts**

The Township Engineer recommends that the Township Board accept the bid from CL Trucking and Excavating, LLC, for Contract A, Clairborne Heights, in the amount of \$695,114.20. Furthermore, the Township Engineer recommends that the Township Board accept the bid from Leavitt & Starck Excavating, Inc. for Contract B, Michigan Avenue, in the amount of \$1,063,321.00.

**XV. MANAGER'S REPORT**

**XVI. COMMITTEE OF THE WHOLE**

**17. Proposed Detention Basin on Mt. Hope Property, Mark Graham**

**XVII. PUBLIC COMMENTS (*maximum five minutes*)**

**XVIII. ADJOURNMENT**

**CHARTER TOWNSHIP OF DELTA**

**MARY R. CLARK, TOWNSHIP CLERK**

Phone (517) 323-8500

*Individuals with disabilities requiring auxiliary aids or services who are planning to attend Township meetings or hearings should contact the Clerk's Office by writing or calling in advance (323-8500) to inform them of the date of the meeting/hearing that will be attended. Copies of minutes may be purchased or viewed in the Clerk's Office from 8 a.m. to 5 p.m., Monday through Friday.*

# *Certificate of Appreciation*

Presented to

**REGINA ROOT**

**In grateful appreciation of your contributions  
and years of service to the Delta Township  
Parks, Recreation and Cemeteries Board of  
Commissioners.**

*April 21, 2014*

Kenneth Fletcher, Township Supervisor

Date



# *Certificate of Appreciation*

Presented to

**CALVIN JONES**

**In grateful appreciation of your contributions  
and years of service to the Delta Township  
Parks, Recreation and Cemeteries Board of  
Commissioners.**

*April 21, 2014*

Kenneth Fletcher, Township Supervisor

Date

MEMO



TO: Township Board  
Delta Township

FROM: Jen Roberts  
Deputy Township Manager

DATE: April 21, 2014

SUBJECT: Public Hearing  
New Class C Resort Liquor License  
Regal Cinemas, Inc.

We have received written application, with appropriate application fee, from Regal Cinemas, Inc. for a new Class C Resort Liquor License to be located at the Lansing Mall, 5330 W. Saginaw Highway, Lansing, MI 48917, Delta Township, Eaton County. The Liquor Control Commission requires the local government to approve any application for said transfer.

Regal Cinemas, Inc. has complied with Delta Township's requests for information and has been reviewed by the appropriate departments for any unpaid taxes, code violations, or outstanding warrants.

I offer the following:

**“I move the Township Board of the Charter Township of Delta approve the request by Regal Cinemas, Inc. for a new Class C Resort Liquor License to be located at the Lansing Mall, 5330 W. Saginaw Highway, Lansing, MI 48917, Delta Township, Eaton County.”**

DELTA CHARTER TOWNSHIP  
7710 W. SAGINAW HWY  
LANSING, MI 48917  
517-323-8510  
Phone : (517) 323-8510  
WWW.DELTAMI.GOV

Received From: CARLIN EDWARDS BROWN LLC  
Date: 03/11/2014 Time: 1:09:52 PM  
Receipt: 140391613  
Cashier: SPORT

ITEM REFERENCE	AMOUNT
-----	
VENDOR VENDOR LICENSE & PERMITS 475	
101-000.000-475.000	\$1,000.00
-----	
TOTAL	\$1,000.00
CHECKS 22736	\$1,000.00
Total Tendered:	\$1,000.00
Change:	\$0.00



# Carlin Edwards Brown PLLC

Attorneys & Counselors at Law

John B. Carlin, Jr.  
Scott D. Edwards  
Michael J. Brown

6017 West St. Joe Hwy., Suite 202  
Lansing, Michigan 48917  
P. (517) 321-4617  
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Southwest Michigan  
2855 Coolidge Hwy., Suite 203  
Troy, Michigan 48064  
P. (248) 816-5000  
F. (248) 816-5115  
Northern Michigan  
213 East Main St., 2<sup>nd</sup> Floor  
Gaylord, Michigan 49735  
P. (989) 688-5946  
F. (989) 688-5901

March 11, 2014

Mr. Richard Watkins  
Delta Township Manager  
7710 W. Saginaw Highway  
Delta Township, Michigan 48917

**Via Hand Delivery**

RE: New Class C Resort Liquor License Application Letter  
Applicant: Regal Cinemas, Inc.  
Address: Lansing Mall, Lansing, MI 48917 (Delta Township)

Dear Mr. Watkins:

This application letter is being written in connection with a request for a new Class C Resort (on-premise under MCL 436.1531) liquor license application submitted by Regal Cinemas, Inc.

We are providing the following information for the Township's records.

1. The full legal name, age, and address of applicant.

**The Applicant is a Tennessee corporation, having filed its Articles of Incorporation on November 28, 1989 with the State of Tennessee. Enclosed for your convenience is a copy of the Applicant's Report of Stockholders (MLCC Form LCC3010) and Application (MLCC Form LCC3011).**

2. The citizenship of the applicant, date of birth, place of birth, and if a naturalized citizen the time and place of naturalization. **Not applicable**

3. The applicant should include the type of establishment or business, and any activities or events sought to be held or allowed on the premises. **Full service movie theater with restaurant/bar service for patrons. Pages 1-6 of the Applicant's lease is enclosed for your information. If needed, the entire lease will be available for review with the intent of maintaining confidentiality.**

4. The length of time applicant has been in the type of business described in item 3. If the applicant is a corporation, the date when its Charter was issued.

**Applicant has been operating movie theatres in several states for almost 25 years.**

5. The location and description of the establishment which is to be operated under the license.

**Regal Cinemas, Inc.  
Lansing Mall  
Lansing [Delta Township], Michigan 48917  
Movie theater**

6. A statement whether applicant has applied for a similar license other than described in this application, and the disposition of such application.

**This Applicant has not applied for a similar license.**

7. A statement that applicant has never been convicted of a felony and is not disqualified to receive a license for any reason contained in Delta Township's Alcoholic Beverages Ordinance or the laws of the State of Michigan.

**The Applicant has never been convicted of a felony and is not disqualified to receive a license for any reason contained in Delta Township's Alcoholic Beverages Ordinance or the laws of the State of Michigan.**

8. A statement that the applicant will not violate any of the laws of the State of Michigan or of the United States or any ordinances of the Township in the conduct of their business.

**The Applicant will not violate any of the laws of the State of Michigan or of the United States or any ordinances of the Township in the conduct of its business.**

It is our understanding that the building plans for the movie theater project are on file with the Township. There will be no outdoor seating at this location.

The Applicant has verified the zoning district within which the business is to be operated to ensure the business will conform with Delta Township Zoning Ordinances.

The Applicant is aware that all personal property taxes, special assessments, sewer, and water charges must be paid in full before a license will be granted.

**Enclosed** is the nonrefundable application fee of \$1,000 which is due at the time the application is submitted.

It is our understanding that the application letter will be reviewed by the appropriate Delta Township departments, to determine compliance with all local requirements. The Township Board will hold a public hearing and the applicant will be notified in writing of the Board's decision. **Enclosed** is a proposed Local Government Approval resolution (MLCC Form LC 1305) for use by the Township.



Mr. R. Watkins, Delta Twp Manager  
March 11, 2014  
Page 3

We look forward to working with you to process this liquor license transfer application by Regal Cinemas, Inc. Please contact me with any questions you may have.

Very truly yours,

CARLIN EDWARDS BROWN PLLC



Michael J. Brown  
Direct: 517-321-4616  
*E-Mail: MBrown@cebhlaw.com*

MJB:im  
Enclosures  
cc: Client



Michigan Department of Licensing and Regulatory Affairs  
Liquor Control Commission (MLCC)  
7150 Harris Drive, P.O. Box 30005 - Lansing, Michigan 48909-7505  
Toll Free (866) 813-0011 • www.michigan.gov/lcc

Business ID: \_\_\_\_\_

Request ID: \_\_\_\_\_

(For MLCC use only)

**Report of Stockholders/Members/Partners**  
(Authorized by MCL 436.1529(1); R 436.1051 and R 436.1110)

**Name and Registered Address of Entity**

Name of entity: Regal Cinemas, Inc.

Address: 7132 Regal Lane

City, State, Zip Knoxville, TN 37918

**Corporations - Please complete this section and attach more copies of this page if more room is needed.**

Name and address of all stockholders:	Certificate Numbers:	Shares Issued:	Date Issued/Acquired:
Regal Entertainment Group (publicly-traded entity) (sole stockholder)			
address: 7132 Regal Lane, Knoxville, TN 37918			

Name and address of Corporate Officers and Directors, pursuant to administrative rule R 436.1109:

Amy E. Miles, Director & CEO; Gregory W. Dunn, Director & COO; David H. Ownby, Director & EVP-CFO-Treasurer;

Peter B. Brandow, EVP-General Counsel-Secretary; Corey J. Coggin, Senior VP(Finance)

Authorized Signer: Michael J. Brown, Esq., Carlin Edwards Brown PLLC, Suite 202, 6017 W. St. Joe Hwy, Lansing, MI 48917

**Limited Liability Companies - Please complete this section and attach more copies of this page if more room is needed.**

Name and address of all members:	Percent % Issued:	Date Issued/Acquired:
not applicable		

Name and address of Managers and Assignees, pursuant to administrative rule R 436.1110:

not applicable



Michigan Department of Licensing and Regulatory Affairs  
Liquor Control Commission (MLCC)  
7150 Harris Drive, P.O. Box 30005 - Lansing, Michigan 48909-7505  
Toll Free (866) 813-0011 • www.michigan.gov/lcc

Business ID: \_\_\_\_\_

Request ID: \_\_\_\_\_

(For MLCC use only)

**Report of Stockholders/Members/Partners**  
(Authorized by MCL 436.1529(1); R 436.1051 and R 436.1110)

**Limited Partnerships - Please complete this section and attach more copies of this page if more room is needed.**

Name and address of all partners:	Percent % Issued:	Date Issued/Acquired:
not applicable		

Name and address of Managers, pursuant to administrative rule R 436.1111:

not applicable


**Signature of Applicant:**

I certify that the information contained in this form is true and accurate to the best of my knowledge and belief. I agree to comply with all requirements of the Michigan Liquor Control Code and Administrative Rules. I also understand that providing **false** or **fraudulent** information is a violation of the Liquor Control Code pursuant to MCL 436.2003.

March 11, 2014  
Date

Michael J. Brown, Attorney and Authorized Signer  
Print name of applicant/licensee and title

  
Signature of applicant/licensee





**Application for New Licenses, Permits, or Transfer of Ownership or Interest in License**  
**(Retail License Applicants)**

**PLEASE READ!** Complete this form in its entirety and return it, along with corresponding documents and fees, to the address listed at the top of this form. You may provide a copy of this application to your local municipal board for review, if applicable.

**Part 1 - If you are requesting a license as a part of your application please answer the questions below:**

- Are you requesting a new license as a part of your application? ☒ Yes ☐ No
- Are you buying an existing license as a part of your application? ☐ Yes ☒ No
- Is this license being transferred as a result of a default or court action? ☐ Yes ☒ No
- Do you intend to actively use this license or hold it in escrow? ☒ Active Operation ☐ Escrow

**Part 2 - Transaction Information: Check boxes applicable to your application** ☒ New license ☒ New permit

- ☐ Transfer ownership ☐ Add space ☐ Change status (self incorporation) ☐ Transfer stock/interest
- ☐ Transfer location ☐ Drop space ☐ Transfer classification type of license ☐ Transfer limited partnership interest

Name(s) of current licensee: none

Current licensed address: none

**Part 3 - Applicant Information**

Name of entity/person that will hold the license: Regal Cinemas, Inc.

- Corporations/Limited Liability Company(s) - State the name as it is filed with the State of Michigan Corporation Division and provide a copy of your articles.
- Corporations/Limited Liability Company(s) must provide a list of stockholders/members in Part 8 of this form.
- If your company has not filed with the State of Michigan, you must submit a copy of a filed certificate of authority to transact business in Michigan along with your application.

What is the physical address of the premises where the license will be located? (Include street address, city, state and zip code)

Lansing Mall, Lansing, MI 48917 (Delta Township/Ingham County)

**Part 4 - Definitions**

**Off-premise licenses** - Licenses that are issued for the type of business where alcoholic beverages are sold for consumption elsewhere, and where consumption on the premises is not allowed. There are two main types; SDD (spirits and mixed drink spirits) and SDM (beer and wine). Please check the appropriate box for your request. Note: Any additional transfer or license fees may be calculated and collected at a later date.

**On-premise licenses** - Licenses that are issued to allow alcoholic beverages to be sold, served and consumed on the premises. Note: Any additional transfer or license fees may be calculated and collected at a later date.

**Part 5 - Inspection Fees: Check box applicable to your application**

- ☒ Inspection fee for one license type - inspection fee is \$70.00
- ☐ Inspection fee for two license types - inspection fee is \$140.00
- ☐ Inspection fee for three license types - inspection fee is \$210.00



**Application for New Licenses, Permits, or Transfer of Ownership or Interest in License**  
**(Retail License Applicants)**

**Part 6 - Licenses and Permits: Check the type of license and permits that you need to complete your request**

MCL 436.1525(1) provides that license fees shall be paid at the time of filing applications. (All checks/money orders should be made payable to the State of Michigan)

Off Premise License Type:	Base Fee:
<input type="checkbox"/> SDM License	\$100.00
<input type="checkbox"/> SDD License	\$150.00
<input type="checkbox"/> Resort SDD License	Upon Licensure
<input type="checkbox"/> Transfer Resort SDD license	\$150.00

On Premise License Type:	Base Fee:
<input type="checkbox"/> B-Hotel License	\$600.00
<input type="checkbox"/> A-Hotel License	\$250.00
<input type="checkbox"/> Brewpub license	\$100.00
<input type="checkbox"/> Class C License	\$600.00
<input type="checkbox"/> Club License	\$300.00
<input checked="" type="checkbox"/> Resort License	Upon Licensure
<input type="checkbox"/> Redevelopment License	Upon Licensure
<input type="checkbox"/> Tavern License	\$250.00
<input type="checkbox"/> G-1 License	\$1,000.00
<input type="checkbox"/> G-2 License	\$500.00
<input type="checkbox"/> Aircraft License	\$600.00
<input type="checkbox"/> Watercraft License	\$100.00
<input type="checkbox"/> Train	\$100.00
<input type="checkbox"/> Continuing Care License	\$600.00

On/Off Premise Permission Type:	Base Fee:
<input type="checkbox"/> Off-premise Storage	No charge
<input type="checkbox"/> Direct Connection(s)	No charge
<input type="checkbox"/> Gas Pumps	No charge

\*Note: MCL 436.1529(5)(b) provides that an inspection fee shall not be required for the issuance of a new permit, or the transfer of an existing permit, if the permit is issued or transferred simultaneously with the issuance or transfer of a license or an interest in a license.

\*\*Note: \$350.00 is due for each additional bar requested. This fee must also be included when calculating the total amount due for Sunday Sales Permit (PM).

Off Premise Permits:	Base Fee:
<input type="checkbox"/> Sunday Sales Permit (AM)	\$160.00
<input type="checkbox"/> Sunday Sales Permit (PM) (Held with SDD license)	\$22.50
<input type="checkbox"/> Catering Permit	\$100.00
<input type="checkbox"/> Beer and Wine Sampling	No charge *
<input type="checkbox"/> Living Quarters	No charge *

\*Note: MCL 436.1529(5)(b) provides that an inspection fee shall not be required for the issuance of a new permit, or the transfer of an existing permit, if the permit is issued or transferred simultaneously with the issuance or transfer of a license or an interest in a license.

On Premise Permit Type:	Base Fee:
<input type="checkbox"/> Sunday Sales Permit (AM)	\$160.00
<input type="checkbox"/> Sunday Sales Permit (PM)	15% of license fee
<input type="checkbox"/> Catering Permit	\$100.00
<input type="checkbox"/> Outdoor Service	No charge *
<input checked="" type="checkbox"/> Entertainment Permit	No charge *
<input type="checkbox"/> Dance Permit	No charge *
<input type="checkbox"/> Topless Activity Permit	No charge *
<input type="checkbox"/> Living Quarters	No charge *
<input type="checkbox"/> Specific Purpose Permit (list activity below):	
Hours requested: _____	
<input type="checkbox"/> Extended Hours Permit (check type below):	No charge *

☐ Dance ☐ Entertainment

Hours requested: \_\_\_\_\_

<input type="checkbox"/> New Additional Bar Permit (s)** Indicate #:	\$350.00
<input type="checkbox"/> New Banquet Facility Permit	\$600.00

Address of proposed banquet facility: \_\_\_\_\_

**A Banquet facility permit is an extension of your license and is different from a banquet room in your facility.**





**Application for New License, Permits, or Transfer of Ownership or Interest in License**  
**(Retail License Applicants)**

**Part 7a - Name and Address of stockholder/member/limited partner**

- Each stockholder/member/partner must complete Part 7b of the application.  
(For companies with multiple stockholders/members/partners, please make copies of this section for each person/entity to complete)
- Administrative rule R 436.1115 provides that an applicant for a license shall submit fingerprints and undergo investigation by the Commission. Fingerprints are not required for an applicant previously fingerprinted for a license with the Commission. If your local police agency does not have paper fingerprint cards, please contact the MLCC today at (866) 813-0011 and we will send them to the police department right away.
- Please attach the the fingerprint card and \$30.00 fee payable (for each card) to the State of Michigan and return them to the Lansing office of the Michigan Liquor Control Commission with your application.

Name: Regal Cinemas, Inc.  
Home address: 7132 Regal Lane, Knoxville, TN 37918  
Business Phone: \_\_\_\_\_ Cell Phone: \_\_\_\_\_ E-mail address: \_\_\_\_\_

**Part 7b - Personal Information (Individuals)**

Date of Birth: \_\_\_\_\_ Social Security Number: \_\_\_\_\_ Drivers License Number: \_\_\_\_\_

Are you a citizen of the United States of America? ☐ Yes ☐ No

Have you ever legally changed your name? ☐ Yes ☐ No List maiden names, or name changes due to naturalization or court order

If you answered yes, please state your prior name(s) (including maiden): \_\_\_\_\_

Have you ever been arrested? ☐ Yes ☐ No If yes, list below (attach additional pages if necessary)

Date	City/State	Charge	Disposition
_____	_____	_____	_____

Have you ever been licensed by the Michigan Liquor Control Commission? ☐ Yes ☐ No

If you are currently married, what is your **spouse's** full name? \_\_\_\_\_  
(first, middle, last)

**Spouse's** date of birth: \_\_\_\_\_

Is your **spouse** a citizen of the United States of America? ☐ Yes ☐ No (If you answered "no", you will be asked to provide documentation to verify your spouse's legal status)

Has your **spouse** ever been arrested? ☐ Yes ☐ No If yes, list below (attach additional pages if necessary)

Date	City/State	Charge	Disposition
_____	_____	_____	_____

Do you or your spouse hold any position, either by appointment or election, which involves the duty to enforce any penal law of the United States of America, or the penal laws of the State of Michigan, or any penal ordinance or resolution of any municipal subdivisions of the State of Michigan (civil defense volunteer policeman, mayors, village presidents, and members of city councils are not considered to be law enforcement officers).

☐ Yes ☐ No

Do you or your spouse hold a manufacturer or wholesale license in Michigan?

☐ Yes ☐ No

I certify that the information contained in this form is true and accurate to the best of my knowledge and belief. I agree to comply with all requirements of the Michigan Liquor Control Code and Administrative Rules. I also understand that providing **false** or **fraudulent** information is a violation of the Liquor Control Code pursuant to MCL 436.2003.

3-11-14 Michael J. Brown, Esq. \_\_\_\_\_  
Date Individual, print name Individual signature



**Application for New Licenses, Permits, or Transfer of Ownership or Interest in License**  
**(Retail License Applicants)**

**Part 8 - Report of Stockholders/Members/Limited Partners**

**Complete this section and attach more copies of this page if more room is needed.**

Name and Address of stockholder/member: \_\_\_\_\_ Number of Shares/Percentage Held: \_\_\_\_\_

Regal Entertainment Group (a publicly-traded entity) (sole stockholder) \_\_\_\_\_ 100% \_\_\_\_\_

address: 7132 Regal Lane, Knoxville, TN 37918 \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Name and address of Corporate Officers and Directors, pursuant to administrative rule R 436.1109

Amy E. Miles, Director & CEO; Gregory W. Dunn, Director & COO; David H. Ownby, Director & EVP-CFO-Treasurer; \_\_\_\_\_

Peter B. Brandow, EVP-General Counsel-Secretary; Corey J. Coggin, Senior VP (Finance) \_\_\_\_\_

\_\_\_\_\_

Authorized Signer: Michael J. Brown, Esq. Carlin Edwards Brown PLLC, Suite 202, 6017 W. St. Joe Hwy, Lansing, MI 48917 \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Name and address of Managers and Assignees, pursuant to administrative rule R 436.1110

none \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

What is the total number of shares that the corporation has issued to its stockholders? \_\_\_\_\_

**Limited Partnerships**

Name and address of General Partner(s) - Attach additional pages if necessary

none \_\_\_\_\_

\_\_\_\_\_

Name and address of Limited Partner(s) - Attach additional pages if necessary

none \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_





Michigan Department of Licensing and Regulatory Affairs  
Liquor Control Commission (MLCC)  
7150 Harris Drive, P.O. Box 30005 - Lansing, Michigan 48909-7505  
Toll Free (866) 813-0011 • [www.michigan.gov/lcc](http://www.michigan.gov/lcc)

Business ID: \_\_\_\_\_

Request ID: \_\_\_\_\_

(For MLCC use only)

**Application for New Licenses, Permits, or Transfer of Ownership or Interest in License**  
**(Retail License Applicants)**

**Part 9 - Contact Information**

Once the Commission has rendered a decision on your request there will be additional information that you will be required to provide. Complete this section so we know where to send your Commission Order and any closing packages.

What is your preferred method of receipt? ☐ Mail ☒ E-Mail ☐ In office pick-up

(If you choose to pick this package up in the office our staff will contact you when it is ready)

Contact Name: Michael J. Brown, Esq. - See contact information below

Mailing Address: \_\_\_\_\_

Business Phone: \_\_\_\_\_ Cell Phone: \_\_\_\_\_ E-mail address: \_\_\_\_\_

**Part 10 - Attorney Information**

Do you have an attorney representing you in this matter? ☒ Yes ☐ No

Attorney Name: Michael J. Brown, Esq. of Carlin Edwards Brown PLLC Member Number: P-43015

Street Address, City, State, Zip Code: Suite 202, 6017 W. St. Joe Hwy, Lansing, MI 48917

Business Phone: 517-321-4616 Cell Phone: 517-402-0574 E-mail address: mbrown@cebhlaw.com

Would you prefer that we contact your attorney for all licensing matters related to your request? ☒ Yes ☐ No

Would you prefer any closing packages or notices be sent directly to your attorney? ☒ Yes ☐ No

Be advised that the information contained in this application will only be used for this request. This section will need to be completed for each subsequent request you make with this office.

**Signature of Applicant:**

**Notice:** When purchasing a license, a buyer can be held liable for tax debts incurred by the previous owner. Prior to committing to the purchase of any license or establishment, the buyer should request a tax clearance certificate from the seller that indicates that all taxes have been paid up to the date of issuance. Obtaining sound professional assistance from an attorney or accountant can be helpful to identify and avoid any pitfalls and hidden liabilities when buying even a portion of a business. Sellers can make a request for the tax clearance certificate through the Michigan Department of Treasury.

Under administrative rule R 436.1003, the licensee shall comply with all state and local building, plumbing, zoning, sanitation, and health laws, rules, and ordinances as determined by the state and local law enforcements officials who have jurisdiction over the licensee. Approval of this permit by the Michigan Liquor Control Commission does not waive any of these requirements. The licensee must obtain all other required state and local licenses, permits, and approvals for this business before using this license for the sale of alcoholic liquor on the licensed premises.

I certify that the information contained in this form is true and accurate to the best of my knowledge and belief. I agree to comply with all requirements of the Michigan Liquor Control Code and Administrative Rules. I also understand that providing **false** or **fraudulent** information is a violation of the Liquor Control Code pursuant to MCL 436.2003.

March 11, 2014

Date

Michael J. Brown, Attorney and Authorized Signer

Print name of applicant/licensee and title

Signature of applicant/licensee

To check the status of your request, visit [www.michigan.gov/lcc](http://www.michigan.gov/lcc) and click on "Online Services." Scroll down to Liquor Control Commission and click on "Online Status Check." Enter your request id number (RID) to check on your application 24 hours a day.

**Lease**

between

**Lansing Mall, LLC**

and

**Regal Cinemas, Inc.**

at

**Lansing Mall  
Delta Charter Township  
Eaton County  
Michigan**

**Dated the 27<sup>th</sup> day of December, 2012**

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**EXHIBITS:**

Exhibit A1 -Legal Description of the Center [Section 1.03(b)];

Exhibit A2 -Legal Description of the Land [Section 1.03(b)];

Exhibit B – Center Site Plan [sections 1.03(b)&(c), 1.06, 1.07, 3.01(a)(3),(5)&(6) & 8.06];

Exhibit C - Layout Plan of the Premises [sections 1.03(f), 3.03(c) & 9.02(a)(14)];

Exhibit D - List of Items Designated as **LANDLORD's** Work and **TENANT's** Work [sections 3.01(a)(4),(10),(14),(15)&(19), 3.05(b) & 14.02(c)];

Exhibit E - Non-disturbance Agreement [Section 18.01];

Exhibit F - Leasehold Financing Certificate [Section 15.04(g)];

Exhibit G - Memorandum of Lease [sections 2.04(b)(2) & 23.11];

Exhibit H - Sales Restriction Area Plan [Section 8.06]; and

Exhibit I - Staging Area Plan [Section 3.06].



# **LEASE**

**(Lansing Mall 12, Lansing, Michigan; Regal No. 23 0596)**

This **Lease** (the "**Lease**") is made and entered into as of the 27<sup>th</sup> day of December, 2012, by and between **Lansing Mall, LLC**, a Delaware limited liability company, (herein called "**LANDLORD**"), and **Regal Cinemas, Inc.**, a Tennessee corporation, (herein called "**TENANT**").

**LANDLORD** and **TENANT** have the following notice addresses on the date of this Lease (See § 23.03):

**LANDLORD:**

Lansing Mall, LLC  
1114 Avenue of the Americas, Suite 2800  
New York, New York 10036-7703  
Attn: General Counsel

With a copy sent to:

Lansing Mall  
West Saginaw Highway  
Lansing, MI 48917  
Attn: General Manager

**LANDLORD's** Payment Address:

Lansing Mall, LLC  
SDS-12-1396  
P.O. Box 86  
Minneapolis, MN 55486-1396

**TENANT:**

Regal Cinemas, Inc.  
Attention: Real Estate Department  
7132 Regal Lane  
Knoxville, Tennessee 37918  
Telephone: 865-925-9619  
Email: Robert.Crane@regalcinemas.com

With a copy sent to:

Herbert S. Sanger, Jr.  
Wagner, Myers & Sanger, P.C.  
1801 First Tennessee Plaza  
800 South Gay Street  
Knoxville, Tennessee 37929  
Telephone: 865-525-4600  
Email: HSanger@wmshpc.com

## Kathy Gilreath

---

**From:** Jeff Campbell <JCampbell@eatoncounty.org>  
**Sent:** Thursday, March 13, 2014 4:36 PM  
**To:** Kathy Gilreath  
**Subject:** Re: Liquor License Request

Nothing from me.

Sent from my iPhone

On Mar 13, 2014, at 10:25 AM, "Kathy Gilreath" <[kgilreath@deltami.gov](mailto:kgilreath@deltami.gov)> wrote:

Good morning,

On March 11<sup>th</sup> I sent an email to several departments requesting information with regard to Regal Cinemas, Inc. liquor license request. I asked that you reply by Friday, March 14<sup>th</sup>, but I need to put this on the Board agenda for Monday the 17<sup>th</sup>, which needs to be published today, so I am asking that you send me your response as soon as possible to meet this deadline.

Sorry for the inconvenience.

Thank you!

Kathy A. Gilreath  
Delta Township Manager's Office  
[kgilreath@deltami.gov](mailto:kgilreath@deltami.gov)  
(517) 323-8590

This email, including any attachment(s) to it are intended solely for the use of the individual or entity to which it is addressed. If you have received this email in error please notify Eaton County by replying to the original email and deleting any email(s) or attachment(s) that you have received. Eaton County screens all outgoing email and attachment(s) for viruses; however, Eaton County cannot accept liability for any damage caused by any virus transmitted by this email. The recipient should check this email and any attachment(s) for the presence of viruses.



## Kathy Gilreath

---

**From:** Mark Graham  
**Sent:** Tuesday, March 11, 2014 3:32 PM  
**To:** Kathy Gilreath  
**Subject:** RE: Regal Cinemas Liquor License Request

Kathy:

As you're aware, the Regal Cinemas are presently under construction. I'm not aware of any zoning ordinance violations which presently exist on the property.

I checked with Matt Leach and he said that he's not aware of any Building Code violations which exist on the property.

Thanks for providing me an opportunity to comment.

Mark Graham

---

**From:** Kathy Gilreath  
**Sent:** Tuesday, March 11, 2014 2:38 PM  
**To:** Brian Thelen; Matthew Leach; Mike Roberts; Mark Graham; Jeff Campbell  
**Subject:** Regal Cinemas Liquor License Request

On March 14, 2014, Kathy Gilreath, Manager's Office, received a verbal communication from Mike Roberts, Fire Inspector, that there were no current violations on file for Regal Cinemas, Inc. as it is currently under construction.

March 17, 2014

Lansing Community Newspapers  
P.O. Box 70  
Grand Ledge, MI 48837

Please publish as follows:

**Delta/Waverly Community News – April 8, 2014**  
**Grand Ledge Independent – April 8, 2013**

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**CHARTER TOWNSHIP OF DELTA**  
**7710 W. Saginaw Highway**  
**Lansing, Michigan 48917**  
**(517) 323-8500**

## **PUBLIC HEARING NOTICE**

At the request of the Township Board of the Charter Township of Delta, Eaton County, State of Michigan, a public hearing will be held in the Delta Township Administration Building, Room A, 7710 West Saginaw Highway, Lansing, Michigan, at 6:00 p.m., Monday, April 21, 2014.

At this hearing the Township Board will consider a request by Regal Cinemas, Inc. for a New Class C Resort Liquor License, located at the Lansing Mall, 5330 West Saginaw Highway, Lansing, MI 48917, Delta Township, in Eaton County.

Persons with disabilities needing accommodations for effective participation in the meeting should contact the Township Clerk at 517-323-8500 a week in advance to request mobility, visual, hearing or other assistance.

All interested persons are invited to attend and offer comments orally at the public hearing. Interested persons unable to attend this hearing may, within 30 days of the hearing, submit written comments to Richard Watkins, Township Manager.

# MEMO

TO: Township Board  
Delta Charter Township

FROM: Christopher Gruba, Planner  
Community Development Department

DATE: April 15, 2014

SUBJECT: Tent Display Ordinance for schools, churches and properties zoned commercial, office and industrial

## **Where we left off:**

March 17, 2014

Chris Gruba introduced the proposed tent ordinance to the Board, which related to properties zoned commercial (B1, B2), office (O) and industrial (I1, I2). Fire Chief Clark explained to the Board that the Fire Department regulates all tents over 200 square feet in these zones, as well as for churches and schools. Mr. Gruba noted that the regulation of churches and schools should be added to the tent ordinance for compatibility with Fire Department regulations. Chief Clark expressed his approval of the tent ordinance as amended. The Board requested that staff make corrections to the tent ordinance and initiate the ordinance amendment process.

## **Sample Tent Display Ordinance**

Staff has made minor changes to the proposed tent ordinance since the March 17<sup>th</sup> Board meeting (see below). The attached revised ordinance has been attached to this memo.

- Tent regulations will only pertain to churches, schools and for commercial, office and industrially-zoned properties (B1, B2, O, I1 & I2).
- Tents cannot be erected in a road right-of-way, on sidewalks, in fire lanes or obstructing barrier-free parking spaces. Tents may be erected in parking lots contingent upon the above.
- Tent permits can allow for a single tent or multiple tents on a single parcel.
- Churches and schools with tents under 200 square feet will not be regulated.
- Fireworks sales display tents would be regulated by this ordinance.

## **Proposed Resolution:**

**“I move that the Delta Township Board introduce the proposed Chapter 43 of the Delta Township Code of Ordinances. The proposed chapter would regulate the display of tents. The Township Clerk is hereby directed to advertise this introduction in local newspapers with final action on the proposed amendments scheduled for the May 5, 2014 Board meeting.”**



## **CHAPTER 43 Tent Displays**

### **Article I. In General**

#### **Section 43-1. Definitions**

- Tent: A structure, enclosure or shelter, with or without sidewalls or drops, constructed of fabric or pliable material supported by any manner except by air or the contents that it protects.
- Tent Display: The erection of a tent on the ground displaying goods or services for promotion or sale on church and school properties and parcels zoned office (O), business (B1, B2) and industrial (I1, I2).

#### **Section 43-2. General Regulations**

- a. A maximum of five (5) permits authorizing a tent display for nine (9) consecutive days shall be issued in any calendar year for any property. Permits may be issued back to back.
- b. Tent displays shall not be erected in a road right of way, over a sidewalk, or obstruct a barrier-free parking space.
- c. Signs attached to a tent display or within the interior of a tent which are in view of the general public shall comply with the requirements of the Sign Ordinance.
- d. Tent displays shall be maintained in a clean and sanitary condition and all litter & debris removed at the cessation of the tent display.

### **Article II. Permit**

#### **Section 43-3. Permit Required**

- a. No person shall erect a tent display without first obtaining a permit as provided for herein with the following exceptions:
  1. Tent displays associated with the sale of produce on the same property on which it was grown.
  2. Tent displays maintained by the United States of America, the State of Michigan, any agencies thereof, as well as local municipalities.
  3. Parcels developed for church and school uses shall not be regulated for tents under 200 square feet.
- b. Application for a permit to erect a tent display shall be made to the Township Zoning Administrator or his/her designee by submission of the required forms and information. The

application shall be accompanied by payment of a fee in an amount established by the Township Board. A sketch shall be submitted with the application depicting the proposed location of the tent display on the property.

- c. The tent display permit shall be attached to the tent and in public view at all times.
- d. The granting of a permit for a tent display shall not relieve the applicant from compliance with other applicable ordinances including but not limited to the Township Fire Code, Noise Ordinance and Vending Ordinance.
- e. The Zoning Administrator or his/her designee may revoke any tent display permit upon a finding that provisions of this chapter have been violated. The Zoning Administrator or his/her designee may impound any tent display which has been erected in violation of this chapter.

K:\Planning\Chris Gruba\Research Projects\Tent Sales & Outdoor Display





March 24, 2014

To: Delta Township Board

From: Mark Graham, Community Development Department

Subject: Vending Ordinance Issues

**Chronology**

September 5, 2013

The staffs of the Clerk's Office, Parks & Recreation Department and Planning Division met to discuss vending issues. It was discovered that the Vending Ordinance mandates that Vendors in Township parks obtain a vending license.

October 3, 2013

The Parks & Recreation Commission passed a resolution recommending that vending licenses not be required for vendors in Township parks.

February 10, 2014

The Township Board discussed whether vendors on Township properties should be required to obtain a vending license. Staff was asked to research the vending regulations of other communities.

March 17, 2014

Staff was directed to draft amendments to the Township's vending ordinance which would exempt Vendor's on Township properties from the licensing requirement but mandate that employees undergo a background check.

### **Proposed Text**

#### **Sec. 42-5 — Vending in Township Parks**

~~No vending license shall be issued for vendors in any area controlled by the township parks commission, unless first authorized in writing by the parks commission, its authorized agent or the appropriate governmental agency.~~

Note: Sections 42-6 & 42-7 which follow the deleted sec. 42-5 would have to be renumbered.

#### **Sec. 42-34. Exceptions from license requirement.**

Persons identified under this section shall not be required to obtain a vending license. ~~In addition all fees associated with the granting of such licenses shall also be waived.~~ Persons excepted below shall otherwise comply with the applicable regulations:

- (6) Persons under the age of 18.**
- (7) Persons involved in a vending activity on property leased or owned by Delta Township are subject to the following:**
  - (a) Each person shall submit an application on a form provided by the Township Clerk.**
  - (b) Each person shall be responsible for the Township's costs of verifying the person's identification, driving record and criminal history.**

### **Comments**

- 1. As per the March 17<sup>th</sup> direction of the Board, vendors on Township properties would be subject to a background check and the \$10 cost but they would be exempt from the \$350 "fixed location" licensing fee. Vending applicants would also be required to fill out an application providing name, address, etc.
- 2. The existing text refers only to Township parks, the proposed text refers to all Township leased/owned properties.
- 3. The proposed text would exempt persons under age 18 engaged in vending from the licensing requirement which is identical to the Meridian & Delhi Township Vending Ordinances.
- 4. The background check requirement would apply to vendors on the library property since the property is owned by the Township and leased to the Library Board.
- 5. Lions' Club members selling concessions at Township Parks would not be subject to the background check requirement due to the exemption granted in sec. 42-34 (3) to persons representing a charitable organization who are involved in a vending activity.
- 6. The proposed text would comport with the Parks & Recreation Commission recommendation.

7. Lt. Campbell has requested that, in order to facilitate enforcement, persons vending on Township properties be provided with identification indicating that they're an "approved" vendor. Staff met on March 24, 2014 to discuss the processing of applications for vending on Township properties to assure that all vending employees would have proper identification in the field.
8. The proposed text does **not** address the lack of background checks for vending activities by churches, schools and charitable organizations which was discussed at the March 17<sup>th</sup> meeting. Delhi and Meridian Townships exempt these groups from the licensing requirement but Meridian Township requires that the groups "submit a license application for purposes of information only". Delta Township could exempt churches & schools while making non-profits such as Clean Water Action undergo a background check but that would also subject members of the Lions Club, Rotary Club, Kiwanis, and others to a background check if they were involved in vending.

**Proposed Motion**

**"I move that the Delta Township Board introduce the proposed sections 42-5 and 42-34, paragraphs (6) and (7), of the Delta Township Code of Ordinances. The proposed sections clarify the requirements for vending activities on Township properties. The Township Clerk is hereby directed to advertise this introduction in local newspapers with final action on the proposed amendments scheduled for the May 5, 2014 Township Board meeting.**

C:\rpt\studies\Vending on Twp Properties #3



DELTA CHARTER TOWNSHIP  
FINANCE REPORT  
FOR TOWNSHIP BOARD MEETING  
4/21/2014

Disbursement requests listed on the following pages, totaling \$ 2,816,600.89 have been received and reviewed by the Manager, Finance Director, and Clerk. It is recommended that all listed vouchers be approved for payment.

Bond/Debt Payments	432,212.50
Investments	
Payroll & Related	973,090.93
Refunds	6,337.55
Tax Distributions	
Vendor Claims	1,404,959.91
Total	\$ 2,816,600.89

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Ken Fletcher, Township Supervisor

-----  
Mary Clark, Township Clerk

-----  
Howard Pizzo, Township Treasurer

PAYABLES FOR DELTA CHARTER TOWNSHIP  
BOARD AGENDA DATE 4/21/2014

Check Date	Check	Vendor Name	Description	Amount
03/19/2014	286729	AT&T	TELEPHONE SERVICE	70.00
03/19/2014	286730	JACKLIN BLODGETT	CONTRACTUAL - AQUATICS	30.00
03/19/2014	286731	LORI BOLAN	CONTRACTUAL - AQUATICS	70.00
03/19/2014	286732	BRD PRINTING INC.	DELTA MAGAZINE	3,873.22
03/19/2014	286733	ROBERT BROWN	CONTRACTUAL - YOUTH BBALL STAFF	113.75
03/19/2014	286734	CARQUEST - THE PARTS PLACE	VEHICLE PARTS	244.50
03/19/2014	286735	COMCAST	CABLE	94.85
03/19/2014	286736	COMCAST	CABLE SERVICES	15.15
03/19/2014	286737	CONSUMERS ENERGY	GAS & ELECTRIC	7,603.99
03/19/2014	286738	CONSUMERS ENERGY	HEAT / GAS	294.76
03/19/2014	286739	CONSUMERS ENERGY	HEAT/GAS FOR MULTIPLE ACCOUNTS	10,353.22
03/19/2014	286742	DEBRA DUFFY	CONTRACTUAL - AQUATICS	75.00
03/19/2014	286743	JOHN DEERE FINANCIAL	WEED WHIP LINE FOR SUMMER AND THROTT	245.66
03/19/2014	286744	WEX BANK	FUEL PURCHASES FOR TWP. VEHICLES	11,186.82
03/19/2014	286746	GRANGER CONTAINER SERVICE, INC.	TRASH REMOVAL FOR MULTIPLE ACCTS	1,162.91
03/19/2014	286747	KATIE HUBBARD	CHAIR EXERCISE CLASS AT MALL	56.00
03/19/2014	286748	MARALYN HYDE	CONTRACTUAL - AQUATICS	220.00
03/19/2014	286750	LANSING BOARD OF WATER & LIGHT	ENVIRONMENTAL LAB	278.25
03/19/2014	286754	LOWES BUSINESS ACCOUNT	SUPPLIES & MATERIALS FOR MULTIPLE DEPTS	600.75
03/19/2014	286756	MUNICODE MUNICIPAL CODE CORP.	FREIGHT FOR ELECTION SUPPLIES	8.61
03/19/2014	286757	MICHAEL COLLINS	REFUND UMPIRE FEES	350.00
03/19/2014	286758	MICHAEL D SMITH	REFUND UMPIRE FEES	378.00
03/19/2014	286759	JOE BELLON	REFUND UMPIRE FEES	273.00
03/19/2014	286760	DAN SCHMIDT	REFUND UMPIRE FEES	273.00
03/19/2014	286761	RANDY MOBERG	REFUND UMPIRE FEES	378.00
03/19/2014	286762	JUDITH STURLEY	CONTRACTUAL - AQUATICS	180.00
03/19/2014	286763	FLYNN, PAUL M, DDS	REFUND DELQ PP TAX 040-090-013-401-00	5.61

03/19/2014	286764	TDS METROCOM	TELEPHONE SERVICE	76.34
03/19/2014	286766	UPS	GROUND SHIPPING	38.16
03/19/2014	286767	UNUM LIFE INSURANCE COMPANY	OPTIONAL LIFE INSURANCE	1,087.81
03/19/2014	286768	TRI COUNTY TITLE AGENCY	UTILITY REFUND FOR ACCOUNT: 00029466	4.78
03/19/2014	286770	ZAYO ENTERPRISE NETWORKS	HIGH SPEED PHONES & INTERNET ACCTS	3,905.71
03/26/2014	286774	CAPITAL AREA UNITED WAY	PAYROLL WITHHOLDING	29.00
03/26/2014	286775	CARQUEST - THE PARTS PLACE	VEHICLE PARTS	269.46
03/26/2014	286777	COMCAST	CABLE SERVICES FOR ACCOUNTS	309.60
03/26/2014	286778	CONSUMERS ENERGY	HEAT/GAS FOR MULTIPLE ACCOUNTS	4,071.40
03/26/2014	286779	CONSUMERS ENERGY	GAS/HEAT AT SUBSTATION	547.15
03/26/2014	286780	CONSUMERS ENERGY	STREET LIGHTS FEBRUARY 2014	3,083.91
03/26/2014	286783	EATON COUNTY TREASURER	DISTRIBUTION OF SPACE TAX MONIES	460.00
03/26/2014	286784	EATON COUNTY TREASURER	TAX TRIBUNAL CHANGES	6,619.55
03/26/2014	286786	FIREFIGHTERS ASSO OF MICHIGAN	PAYROLL W/H UNION DUES	1,020.00
03/26/2014	286787	BARBARA FOLEY	PAYROLL WITHHOLDING	650.00
03/26/2014	286788	BARBARA FOLEY	PAYROLL WITHHOLDING	170.13
03/26/2014	286790	FRONTIER	TELEPHONE SERVICE	51.44
03/26/2014	286793	LANSING BOARD OF WATER & LIGHT	ELECTRICITY FOR MULTIPLE ACCOUNTS	160.61
03/26/2014	286794	LANSING BOARD OF WATER & LIGHT	ELECTRICITY FOR MULTIPLE ACCOUNTS	2,827.92
03/26/2014	286797	METLIFE	DENTAL INSURANCE COVERAGE	13,923.08
03/26/2014	286799	MICHIGAN EDUCATION TRUST	PAYROLL WITHHOLDING MET	88.00
03/26/2014	286801	APPLEGATE HOME COMFORT	REFUND REG FEE NOT OWED	15.00
03/26/2014	286803	TRACY BRADLEY-OWENS	REFUND FACILITY RENTAL 2EA.	475.00
03/26/2014	286804	DONNA MORAN	REFUND PARKS REGISTRATION	35.00
03/26/2014	286805	TERESA SMITH	REFUND RENTAL DEPOSIT	150.00
03/26/2014	286806	DAWN BOETTCHER	REFUND UMPIRE FEES	130.00
03/26/2014	286807	PHYSICIANS HEALTH PLAN	HEALTH INSURANCE COVERAGE	123,678.54
03/26/2014	286808	PITNEY BOWES, INC	BLACK INK	50.99
03/26/2014	286809	CAMERON RIDLEY	DJ FOR ADULT KICKBALL & SOFTBALL	200.00
03/26/2014	286812	UPS	SHIPPING CHARGES	10.52
03/26/2014	286813	UNUM LIFE INSURANCE COMPANY	LIFE INSURANCE	5,482.85
03/26/2014	286815	CHEBLI, ROY	UTILITY REFUND FOR ACCOUNT: 00020959	44.20
03/26/2014	286816	KEEN, EDWARD	UTILITY REFUND FOR ACCOUNT: 00002969	10.76
03/28/2014	CHASE	CREDIT CARD MAR2014	PARKS DEPT SPECIAL EVENT SUPPLIES	159.14



03/28/2014	CHASE	CREDIT CARD MAR2014	AQUATICS SUPPLIES	171.33
03/28/2014	CHASE	CREDIT CARD MAR2014	PARKS SHOP SUPPLIES FROM HARBOR FREIGHT	30.96
03/28/2014	CHASE	CREDIT CARD MAR2014	P&R CONSTANT CONTACT NEWESLETTERS	420.00
03/28/2014	CHASE	CREDIT CARD MAR2014	SUSTAINABILITY CONFERENCE & REGISTRATION	155.53
03/28/2014	CHASE	CREDIT CARD MAR2014	GREEN COMMUNITY CONFERENCE 3 EA.	236.25
03/28/2014	CHASE	CREDIT CARD MAR2014	SMART SLIDER LIFETIME EDITION	100.00
03/28/2014	CHASE	CREDIT CARD MAR2014	EMPLOYEE ENRICHMENT DAY SUPPLIES	57.80
03/28/2014	CHASE	CREDIT CARD MAR2014	SERVICE AWARDS; EMPLOYEE ENRICHMENT DAY	1,350.00
03/28/2014	CHASE	CREDIT CARD MAR2014	WELLNESS PROGRAM LUNCH & LEARN MEAL	232.00
03/28/2014	CHASE	CREDIT CARD MAR2014	PASSPORT POSTAGE	166.08
03/28/2014	CHASE	CREDIT CARD MAR2014	CLERK'S CONFERENCE EXPENSES	83.76
03/28/2014	CHASE	CREDIT CARD MAR2014	CAR CHARGERS, HEADSET, EXT BATT, KEYBOARD	321.86
03/28/2014	CHASE	CREDIT CARD MAR2014	STYLUS, KEYBOARD CASE, PRESS CYLINDER	395.62
03/28/2014	CHASE	CREDIT CARD MAR2014	ITUNE APPS	62.39
03/28/2014	CHASE	CREDIT CARD MAR2014	OFFICE SUPPLIES FOR ENGINEERING DEPT	77.85
03/28/2014	CHASE	CREDIT CARD MAR2014	WATER NOZZLES, MOUSE TRAPS, DISH SOAP	121.37
03/28/2014	CHASE	CREDIT CARD MAR2014	CHAIR, CHAIN OIL, CELL CHGRS, PAGER, BATT, HOSE	431.09
03/28/2014	CHASE	CREDIT CARD MAR2014	VEHICLE MAINTENANCE PARTS	135.33
03/28/2014	CHASE	CREDIT CARD MAR2014	IMAGETREND TRNG A/C ROMAN & CAPT NORDLUND	683.39
03/28/2014	CHASE	CREDIT CARD MAR2014	MAFC & WMAFC MEMBERSHIP CLARK & ROMAN	420.00
03/28/2014	CHASE	CREDIT CARD MAR2014	MICH FIRE CHIEF'S CONFERENCE EXPENSES	210.10
03/28/2014	CHASE	CREDIT CARD MAR2014	HEALTHCARE PROVIDER CARDS & WINDOW PUNCH	73.86
03/28/2014	CHASE	CREDIT CARD MAR2014	BATTERY UNIVERSE	52.43
03/28/2014	CHASE	CREDIT CARD MAR2014	TV/MONITORS FOR CONFR RM & SQUAD ROOM	840.64
04/02/2014	286817	AT&T	TELEPHONE SERVICE	218.24
04/02/2014	286818	JACKLIN BLODGETT	CONTRACTUAL - AQUATICS	30.00
04/02/2014	286819	LORI BOLAN	CONTRACTUAL - AQUATICS	87.50
04/02/2014	286820	BRD PRINTING INC.	ENGRAVED NAME TAGS, MECH & PLUMB LABELS	311.35
04/02/2014	286822	ERIN BURKE	REFUND VOLLEYBALL FORFEIT FEE	20.00
04/02/2014	286823	CARQUEST - THE PARTS PLACE	VEHICLE MAINTENANCE PARTS	1,066.53
04/02/2014	286825	COMCAST	CABLE SERVICES FOR ACCOUNTS	249.20
04/02/2014	286828	DEBRA DUFFY	CONTRACTUAL - AQUATICS	105.00
04/02/2014	286829	EATON COUNTY TREASURER	TAX TRIBUNAL CHANGES	1,918.45
04/02/2014	286833	MARALYN HYDE	CONTRACTUAL - AQUATICS	220.00

04/02/2014	286834	KENDALL ELECTRIC, INC.	COMPRESSION CONNECTOR & COUPLING MOUNT	156.08
04/02/2014	286836	LANSING BOARD OF WATER & LIGHT	ELECTRICITY AT 7708 ADMINISTRATION DR	757.63
04/02/2014	286837	LANSING BOARD OF WATER & LIGHT	ELECTRICITY FOR MULTIPLE ACCOUNTS	4,899.55
04/02/2014	286838	LANSING BOARD OF WATER & LIGHT	ELECTRICITY FOR MULTIPLE ACCOUNTS	173.36
04/02/2014	286841	CAROLYN MCARTHUR	CONTRACTUAL - AQUATICS	45.00
04/02/2014	286842	MCMASTER-CARR SUPPLY CO.	HYDRAULIC HOSE FITTING & COMPRESSION PACK	143.59
04/02/2014	286846	BETHANY SKINNER	REFUND PARTICIPANT FEE	35.00
04/02/2014	286847	ANNA STAPLES	REFUND PARKS REGISTRATIONS	105.00
04/02/2014	286848	TRICIA MANCE	REFUND SPORTS REGISTRATION	40.00
04/02/2014	286849	MARY GRAY	FORFEIT FEE TO OFFICIATE INDOOR V'BALL	20.00
04/02/2014	286850	MICHAEL NEAL	REFUND UMPIRE FEES	378.00
04/02/2014	286851	VICTORIA BORDAYO	REFUND FACILITY FEE	180.00
04/02/2014	286855	JUDITH STURLEY	CONTRACTUAL - AQUATICS	160.00
04/02/2014	286857	TRACTOR SUPPLY CREDIT PLAN	STATEMENT FOR SUPPLIES & MATERIALS	764.71
04/02/2014	286858	UPS	PACKAGE SHIPPING	16.57
04/09/2014	286860	AC&E RENTALS	PROPANE	73.09
04/09/2014	286861	ACCIDENT FUND INSURANCE	WORKMAN'S COMP INSURANCE INSTALLMENT	40,370.00
04/09/2014	286862	AIRGAS USA, LLC	PROPANE	988.59
04/09/2014	286863	ALDINGER, INC.	G.L. ASSESSING NOTICES MAILING & POSTAGE	1,642.74
04/09/2014	286864	ALERT-ALL CORP.	FIRE PREVENTION	912.00
04/09/2014	286865	ALL TRAFFIC SOLUTIONS	TRAFFIC REPORTING, IMAGE MGMT, ALERTS	5,000.00
04/09/2014	286866	ALRO STEEL	OPERATING SUPPLIES	10.80
04/09/2014	286867	AMBS MESSAGE CENTER	ANSWERING SERVICES	421.09
04/09/2014	286868	AMERICAN RENTALS, INC.	PORTABLE TOILET RENTALS	370.00
04/09/2014	286869	APOLLO FIRE EQUIPMENT	CAPTAINS FIRE HELMET	48.17
04/09/2014	286870	AUTOMATION DIRECT	EQUIPMENT MAINTENANCE	360.00
04/09/2014	286871	AUTO VALUE PARTS STORE	HALOGEN HEADLAMP & PARTS	71.50
04/09/2014	286872	AUTO ZONE	POLISH, MICROFIBER AUTO CLOTH & PARTS	51.46
04/09/2014	286873	THE BANK OF NEW YORK MELLON	BONDS BNYLOANS/DELTALTGO06	399,025.00
04/09/2014	286874	BARRY-EATON DISTRICT HEALTH	LICENSE RENEWAL FOR PARK CONCESSIONS	170.00
04/09/2014	286875	BARYAMES CLEANERS INC.	UNIFORMS	151.70
04/09/2014	286876	DAREN BEBEE	COMMISSIONERS PAY 1ST QUARTER	150.00
04/09/2014	286877	BOBCAT OF LANSING	MAINTENANCE SUPPLIES	712.61
04/09/2014	286878	BOUND TREE MEDICAL LLC	MEDICAL SUPPLIES	1,972.54

04/09/2014	286879	BRD PRINTING INC.	MAILING SERVICES DELTA MAGAZINE	501.96
04/09/2014	286880	BREATHING AIR SYSTEMS DIVISION	KNOB ON COMPRESSOR	8.95
04/09/2014	286881	BRUTSCHE CONCRETE PRODUCTS	EQUIPMENT RENTAL	335.00
04/09/2014	286882	CAPITAL AREA UNITED WAY	PAYROLL W/H	29.00
04/09/2014	286883	CDW GOVERNMENT INC.	COMPUTERS, SCREENS, PARTS & EQUIPMENT	10,394.05
04/09/2014	286884	CHROUCH COMMUNICATIONS, INC.	RADIO PROGRAMMING CABLE	675.00
04/09/2014	286885	CINTAS CORPORATION #725	BROWN TWP MATS ADMIN & SUBSTATION	168.00
04/09/2014	286886	CITY OF LANSING	GM SANITARY SEWER 425 AGREEMENT - FEB	51,733.72
04/09/2014	286887	JOHN CLARK	REIMBURSE TOLL FEES FOR EMS OPS CONF	8.70
04/09/2014	286888	CLASSIC COFFEE CO.	COFFEE	108.00
04/09/2014	286889	COMCAST	CABLE SERVICES	159.80
04/09/2014	286890	CUTWATER INVESTOR SERVICES CORP.	INVESTMENT ADVISORY SERVICES FEB	1,000.00
04/09/2014	286891	CYBER MARKETING NETWORK, INC.	STEEL TOE SHOES; M. MARTIN & J. GREEN	233.98
04/09/2014	286892	DATAMAIL SERVICES	PROCESS,PRINT,FOLD,INSERT,MAIL W/S BILLS	3,889.74
04/09/2014	286893	DBI BUSINESS INTERIORS	OFFICE SUPPLIES FOR MULTIPLE DEPTS	2,344.65
04/09/2014	286894	DIESEL EQUIPMENT SALES & SERVICE	SNOW TOWER GENERATOR	22.04
04/09/2014	286895	DORNBOS SIGN & SAFETY INC	CUSTOM DECAL ON PICK UP TRUCK	181.46
04/09/2014	286896	DUBOIS-COOPER ASSO.	SKYWAY LIFT STATION PROJECT	26,228.00
04/09/2014	286897	DUCKETT BROTHERS DISTRIBUTING	BUILDING MAINTENANCE & JANITORIAL SUPPLIES	857.62
04/09/2014	286898	DYER WELL DRILLING & SERVICE, INC.	LOCATE OLD WELL, CUT OUT, CEMENT OFF	175.00
04/09/2014	286899	EAGLE TOWNSHIP	BILLABLE FIRE/AMB RUNS - FEB	2,653.62
04/09/2014	286900	EATON COUNTY TREASURER	SHERIFF CONTRACTUAL	246,554.00
04/09/2014	286901	EATON COUNTY TREASURER	TRI-COUNTY REGIONAL PLANNING COMM	5,248.00
04/09/2014	286902	EATON COUNTY DRAIN COMMISSION	EATON CO. DRAINS AT LARGE	229,420.72
04/09/2014	286903	EATON COUNTY ROAD COMMISSION	SALT	551.52
04/09/2014	286904	EATON COUNTY ROAD COMMISSION	TRAFFIC SIGNAL MAINTENANCE CREYTS & MICH	2,190.67
04/09/2014	286905	EATON COUNTY ROAD COMMISSION	SALT PICKED UP JANUARY & FEBRUARY 2014	2,844.97
04/09/2014	286906	EATON COUNTY ROAD COMMISSION	TRAFFIC SIGNAL ENERGY DEC & JAN	35.10
04/09/2014	286907	EATON CUSTOM SEWING & EMBROIDERY	TURNOUT GEAR REPAIR	40.00
04/09/2014	286908	ECOLAB	SPECIAL SOAP FOR TURNOUT GEAR CLEANING	416.47
04/09/2014	286909	EJ USA, INC.	HYDRANT PARTS	444.48
04/09/2014	286910	ENVIRONMENTAL RESOURCE ASSOC.	WWTP SIMPLE & COMPLEX NUTRIENTS, HARDNESS	1,073.98
04/09/2014	286911	ETNA SUPPLY COMPANY	WATER METER PARTS	6,481.00
04/09/2014	286912	EXTENDOBED	INTERCEPTOR MOUNTING BARCKET & HARDWARE	100.00

04/09/2014	286913	FACILITY SOLUTIONS, INC.	BUILDING MAINTENANCE SUPPLIES	276.70
04/09/2014	286914	JOHN DEERE FINANCIAL	EQUIPMENT MAINTENANCE PARTS	247.19
04/09/2014	286915	FIBERTEC ENVIRONMENTAL SERVICES	BIOSOLIDS MONITORING	47.00
04/09/2014	286916	FIDELITY SECURITY LIFE INS/ EYEMED	VISION COVERAGE	1,129.82
04/09/2014	286917	FIREFIGHTERS ASSO OF MICHIGAN	PAYROLL W/H UNION DUES FIREFIGHTERS ASSOC	1,020.00
04/09/2014	286918	FIRE SERVICE MANAGEMENT	TURNOUT GEAR REPAIR	226.50
04/09/2014	286919	FIRST ADVANTAGE LNS OCC. HEALTH	CLINIC COLLECTION	15.82
04/09/2014	286920	FLEETPRIDE	CONNECTOR	12.30
04/09/2014	286921	FLEIS & VANDENBRINK ENGR., INC	MICHIGAN/CLAIBORNE WATER MAIN PROJECT	6,700.75
04/09/2014	286922	BARBARA FOLEY	PAYROLL WITHHOLDING GARNISHMENT EMP 1	170.13
04/09/2014	286923	BARBARA FOLEY	PAYROLL WITHHOLDING GARNISHMENT EMP 2	650.00
04/09/2014	286924	FULLER'S POWER EQUIPMENT CTR	CARB REBUILD KIT	8.50
04/09/2014	286925	FULTON ELECTRONIC SUPPLY	SCADA PROJECT LT	483.01
04/09/2014	286926	GORDON FOOD SERVICE, INC.	COFFEE, CREAMER, CUPS, STIR STICKS, SUPPLIES	227.75
04/09/2014	286927	GRAINGER	OPERATING SUPPLIES & PARTS	212.70
04/09/2014	286928	GRAYBAR	TRANSFER SWITCHES, RECEPTICLE, EQUIP PARTS	9,495.94
04/09/2014	286929	GRAYMONT CAPITAL INC.	WWTP HIGH CALCIUM QUICKLIME	3,648.88
04/09/2014	286930	GREAT LAKES EXPRESS SERVICE, INC.	MONTHLY MAIL SERVICE	294.00
04/09/2014	286931	GUARDIAN ALARM	ALARM BILLING	30.00
04/09/2014	286932	IMAGE TREND, INC.	ANNUAL SUPPORT FEE	800.00
04/09/2014	286933	J&B MEDICAL SUPPLY, INC	MEDICAL SUPPLIES	255.73
04/09/2014	286934	JACK DOHENY SUPPLIES, INC.	MAINTENANCE SUPPLIES	1,008.30
04/09/2014	286935	CALVIN JONES	COMMISSIONERS PAY 1ST QUARTER 2014	150.00
04/09/2014	286936	PAUL KELSEY	COMMISSIONERS PAY 1ST QUARTER 2014	150.00
04/09/2014	286937	KENDALL ELECTRIC, INC.	EQUIPMENT AND BUILDING SUPPLIES	5,556.79
04/09/2014	286938	KEUSCH TIRE AND TOWING	FIRESTONE TIRES 2007 FORD CROWN VICTORIA	905.18
04/09/2014	286939	RICK KINSMAN	REIMBURSE FOR IAEI CONFERENCE HOTEL EXP	16.20
04/09/2014	286940	KONICA MINOLTA BUSINESS SOLUTIONS	COPY COSTS	86.88
04/09/2014	286941	LANSING BOARD OF WATER & LIGHT	ELECTRICITY FOR MULTIPLE ACCTS	38,391.32
04/09/2014	286942	LANSING BOARD OF WATER & LIGHT	ELECTRICITY FOR MULTIPLE ACCTS	114.38
04/09/2014	286943	LANSING BOARD OF WATER & LIGHT	STREET LIGHTING IN DELTA TWP	42,053.38
04/09/2014	286944	LANSING REGIONAL CHAMBER	LEGISLATIVE DINNER TICKETS	460.00
04/09/2014	286945	LANSING UNIFORM CO.	UNIFORMS	877.00
04/09/2014	286946	LEAP, INC.	MUNICIPALITY MEMBERSHIP	15,000.00



04/09/2014	286947	LONNIE LEE	COMMISSIONERS PAY 1ST QUARTER	100.00
04/09/2014	286948	CROWNE PLAZA LANSING WEST	ROOM RENTAL FOR MOTHER/SON DANCE	360.00
04/09/2014	286949	LORTEC SALES	SEPARATORS	543.85
04/09/2014	286950	LOUIS PADNOS IRON & METAL CO.	REUSABLE STEEL	432.80
04/09/2014	286951	LYDEN OIL COMPANY	GREASE	139.30
04/09/2014	286952	MAA EDUCATION	ASSESSING SPRING COURSE REGISTRATION	200.00
04/09/2014	286953	MANER COSTERISAN	YEAR END AUDIT SERVICES	24,700.00
04/09/2014	286954	MASA	HOLOGRAM BAT STICKERS	198.00
04/09/2014	286955	LISA MCCORMICK	MARCH BOARD OF REVIEW PER DIEM	480.00
04/09/2014	286956	MEDICAL MANAGEMENT SYSTEMS	AMBULANCE FEES	14,560.80
04/09/2014	286957	MEDLER ELECTRIC CO.	BUILDING AND EQUIP MAINTENANCE PARTS	5,152.45
04/09/2014	286958	MENARDS	BUILDING MAINTENANCE	170.82
04/09/2014	286959	MICHIGAN COMPANY, INC.	BUILDING MAINTENANCE SUPPLIES	44.53
04/09/2014	286960	MID-MICHIGAN RECYCLING	RECYCLING OF ICE STORM DEBRIS	7,223.25
04/09/2014	286961	MID-MICHIGAN SNOW EQUIPMENT CO	HARDWARE KIT & UTILITY LIGHT BRACKET	248.00
04/09/2014	286962	MID-STATES BOLT & SCREW CO.	NUTS AND BOLTS	24.70
04/09/2014	286963	MICHIGAN EDUCATION TRUST	PAYROLL WITHHOLDING MET	180.00
04/09/2014	286964	MICHIGAN ELECTION RESOURCES	ABSENTEE VOTER BINDERS & VOTED STICKERS	1,645.99
04/09/2014	286965	MICHIGAN ENERGY OPTIONS	ANNUAL MEMBERSHIP/SPONSORSHIP TRI COUNTY	250.00
04/09/2014	286966	MICHIGAN PIPE & VALVE	BUILDING MAINTENANCE MATERIALS	455.00
04/09/2014	286967	VANDERMEER, JASON LEE	REFUND DUPLICATE PMT PERMIT PP140064	15.00
04/09/2014	286968	MISS DIG SYSTEM, INC.	MISS DIG CODES	340.00
04/09/2014	286969	MITA	ADVERTISING CLAIBORNE HEIGHTS WATER MAIN	150.00
04/09/2014	286970	MUNICIPAL SUPPLY CO.	COPPER FOR WATER SERVICES	2,442.00
04/09/2014	286971	NCL OF WISCONSIN	LAB SUPPLIES	531.54
04/09/2014	286972	NEDERMAN, INC.	VEHICLE EXHAUST SYSTEM REPAIR	142.50
04/09/2014	286973	NEWARK	EQUIPMENT MAINT PARTS 120V 300W	305.53
04/09/2014	286974	NEW PIG CORPORATION	PORTABLE SPILL CONTAINMENT FOR FIRE RUN	153.24
04/09/2014	286975	NFPA	GUIDE FOR FIRE & EXPLOSION PREVENTION	169.15
04/09/2014	286976	KENT NORDLUND	REIMBURSE NAT'L REGISTRY PARAMEDIC LIC	110.00
04/09/2014	286977	NORTH GRAND RIVER COOPERATIVE	DELTA FIRE MEDICAL LINENS	801.90
04/09/2014	286978	CANON SOLUTIONS AMERICA, INC.	COPIER MAINTENANCE ABOVE THE ALLOTTED #	406.71
04/09/2014	286979	OMEGA ENGINEERING, INC.	TRANSDUCER	335.00
04/09/2014	286980	PERSONNEL CONCEPTS	LABOR LAW POSTERS 2014	598.80

04/09/2014	286981	P.F. PETTIBONE & CO.	RED MINUTE BOOK & GOLD STAMPING SET UP	340.85
04/09/2014	286982	PITNEY BOWES	POSTAGE MACHINE QUARTERLY LEASE	780.00
04/09/2014	286983	POLLARDWATER.COM	TOOL	61.70
04/09/2014	286984	PRECISION PARTS & TOOLING	RESHARPEN STUMP GRINDER TEETH	72.00
04/09/2014	286985	PRIORITY ONE EMERGENCY	SIDE REFLECTOR FOR AMBULANCE135	178.66
04/09/2014	286986	PVS TECHNOLOGIES, INC.	WASTE WATER CHEMICALS	10,608.61
04/09/2014	286987	QUALITY TIRE, INC.	TIRES	523.76
04/09/2014	286988	R&R FIRE TRUCK REPAIR	NEW COLLINS LIGHT AND GUARD RAIL VIN#936	768.77
04/09/2014	286989	RICHLAND MACHINE & PUMP CO	EQUIPMENT REPAIR	4,898.00
04/09/2014	286990	ROAD EQUIPMENT PARTS CENTER	ROAD EQUIPMENT	65.70
04/09/2014	286991	GINA ROOT	COMMISSIONERS PER DIEM 1ST QUARTER	100.00
04/09/2014	286992	ROSE PEST SOLUTIONS	PEST CONTROL - CONTRACTUAL	78.00
04/09/2014	286993	SAFEWARE, INC.	SENSOR FOR HAZMAT MONITOR	542.98
04/09/2014	286994	SCHINDLER ELEVATOR CORP.	QUARTERLY BILLING FOR ELEVATOR SERVICE	599.76
04/09/2014	286995	SHERWIN-WILLIAMS	PAINTS AND SUPPLIES	643.90
04/09/2014	286996	SPARROW OCCUPATIONAL HEALTH	EMPLOYEE EXAMS	245.50
04/09/2014	286997	SPARTAN CHASSIS, INC.	FIRE TRUCK MAINTENANCE AND REPAIRS	8,669.20
04/09/2014	286998	STERICYCLE, INC.	MEDICAL WASTE DISPOSAL SERVICE	22.29
04/09/2014	286999	SUNDANCE CHEVROLET	VEHICLE MAINTENANCE PARTS	779.20
04/09/2014	287000	M-I L.L.C.	SCREEN & GASKET	611.09
04/09/2014	287001	TDS METROCOM	TELEPHONE SERVICES	183.20
04/09/2014	287002	BARBARA THORBURN	COMMISIONERS PER DIEM 1ST QUARTER	150.00
04/09/2014	287003	THRUN LAW FIRM P.C.	MONTHLY STATEMENT FOR LEGAL FEES	7,652.40
04/09/2014	287004	TIME EMERGENCY EQUIPMENT	FIRE DEPT TURNOUT GEAR	11,049.96
04/09/2014	287005	UNDERWRITERS LABORATORIES, INC.	LAB TESTS	185.00
04/09/2014	287006	U.S. BANK, N.A.	BOND PAYMENT	33,187.50
04/09/2014	287007	KENNETH VANHALL, III	REIMBURSE FOR EOC REFRESHMENTS	13.06
04/09/2014	287008	VERIZON	PHONE SERVICE	537.91
04/09/2014	287009	VERTALKA & VERTALKA, INC.	ART VAN TAX APPEAL	9,914.25
04/09/2014	287010	VIDACARE CORPORATION	MEDICAL SUPPLIES	598.01
04/09/2014	287011	VIDCOM SOLUTIONS	ID CARDS AND SUPPLIES	425.00
04/09/2014	287012	KARTHEN, DAVID	UTILITY REFUND FOR ACCOUNT: 00014319	268.13
04/09/2014	287013	MCVEIGH, MARY	UTILITY REFUND FOR ACCOUNT: 00029117	50.22
04/09/2014	287014	FRANK WALKER	BOARD OF REVIEW MARCH 2014 PER DIEM	480.00

04/09/2014	287015	WEBB CHEMICAL SERVICE CORP.	WWTP HYDROCHLORIC ACID	520.00
04/09/2014	287016	DAVID A. WILLIAMS	REIMBURSE EXPENSE MI INTN'L ELECTRICAL	206.90
04/09/2014	287017	AL WILSON	COMMISSIONERS PER DIEM 1ST QUARTER 2014	100.00
04/09/2014	287018	JON WISE	BOARD OF REVIEW MARCH 2014 PER DIEM	480.00
04/16/2014	287022	JACKLIN BLODGETT	CONTRACTUAL - AQUATICS	30.00
04/16/2014	287023	LORI BOLAN	CONTRACTUAL - AQUATICS	105.00
04/16/2014	287026	BRD PRINTING INC.	OFFICE SUPPLIES & BUSINESS CARDS	225.40
04/16/2014	287029	CARQUEST - THE PARTS PLACE	VEHICLE MAINTENANCE PARTS	1,173.81
04/16/2014	287030	COMCAST	CABLE SERVICES	373.95
04/16/2014	287031	CONSUMERS ENERGY	ELECTRICITY	96.02
04/16/2014	287033	CONSUMERS ENERGY	ENERGY CHARGES 7708 ADMINISTRATION DRIVE	338.21
04/16/2014	287034	CONSUMERS ENERGY	GAS/HEAT FOR MULTIPLE ACCOUNTS	4,089.53
04/16/2014	287039	DEBRA DUFFY	CONTRACTUAL - AQUATICS	90.00
04/16/2014	287040	EATON COUNTY ROAD COMMISSION	SALT	1,103.04
04/16/2014	287042	JOYCE FARMER	CHAIR EXERCISE CLASS AT MALL	14.00
04/16/2014	287043	FRONTIER	CABLE - 7812 W. WILLOW	83.86
04/16/2014	287045	GANNETT MICHIGAN NEWSPAPERS	ADVERTISING	604.79
04/16/2014	287047	GRANGER CONTAINER SERVICE,INC.	TRASH REMOVAL FOR MULTIPLE ACCTS	972.75
04/16/2014	287048	KATIE HUBBARD	CHAIR EXERCISE CLASSES AT MALL	56.00
04/16/2014	287049	MARALYN HYDE	CONTRACTUAL - AQUATICS	220.00
04/16/2014	287053	LANSING BOARD OF WATER & LIGHT	WHOLESALE WATER	161,338.76
04/16/2014	287054	LANSING BOARD OF WATER & LIGHT	ELECTRICITY FOR MULTIPLE ACCOUNTS	581.23
04/16/2014	287055	LANSING BOARD OF WATER & LIGHT	ELECTRICITY FOR MULTIPLE ACCOUNTS	3,012.89
04/16/2014	287056	LANSING BOARD OF WATER & LIGHT	LAB SERVICES - 7000 W WILLOW	331.25
04/16/2014	287060	LOWES BUSINESS ACCOUNT	SUPPLIES & MATERIALS FOR MULTIPLE DEPTS	450.66
04/16/2014	287061	CAROLYN MCARTHUR	CONTRACTUAL - AQUATICS	120.00
04/16/2014	287066	BETTY MURPHY	REFUND RENTAL DEPOSIT	180.00
04/16/2014	287067	ROBERT HEINDEL	REFUND RENTAL DEPOSIT COMMUNITY CENTER	150.00
04/16/2014	287071	RICK SCOTT	ADULT SOFTBALL UMPIRE FEE 4/1/14	378.00
04/16/2014	287072	JUDITH STURLEY	CONTRACTUAL - AQUATICS	120.00
04/16/2014	287074	TDS METROCOM	TELEPHONE SERVICE	103.78
04/16/2014	287076	UPS	UPS SHIPPING	28.30
04/16/2014	287077	UNUM LIFE INSURANCE COMPANY	LIFE INSURANCE	6,646.24
04/16/2014	287078	MICHAEL VENTURA	ADULT SOFTBALL UMPIRE FEE 3/28/14	250.00

04/16/2014	287079	VERIZON	TELEPHONES SERVICE	380.14
04/16/2014	287080	COOLEY, MARY ANN	REFUND W/S PMT SENT ELECTRONICALLY IN ERROR	2,010.69
04/16/2014	287081	TRI COUNTY TITLE	UTILITY REFUND FOR ACCOUNT: 00000067	10.76
04/16/2014	287086	RICK WILLIAMS	COMMUNITY FIRST AID CLASS	35.00
04/23/2014	287089	KEVIN ABBASSE	INSTRUCTOR FOR NFPA PLAN REVIEW COURSE	900.00
04/23/2014	287090	AIRGAS USA, LLC	OXYGEN	72.64
04/23/2014	287091	ALRO STEEL	USABLE DROPS	25.34
04/23/2014	287092	DAVID ARKING	ZONING/SIGN BOARD PER DIEM	50.00
04/23/2014	287093	ARROW UNIFORM	UNIFORMS; UTILITIES & PARKS DEPARTMENTS	1,030.70
04/23/2014	287094	AUTO VALUE PARTS STORE	ANTIFREEZE & COOLANT	86.32
04/23/2014	287095	AUTO ZONE	EQUIPMENT MAINTENANCE PARTS	90.31
04/23/2014	287097	MERLE BARNHART	ZONING/SIGN BOARD PER DIEM	50.00
04/23/2014	287098	BLACKBURN MANUFACTURING CO.	MISS DIG FLAGS	598.13
04/23/2014	287099	BOBCAT OF LANSING	WEED WHIPS HEADS	107.96
04/23/2014	287100	BOUND TREE MEDICAL LLC	MEDICAL SUPPLIES	945.62
04/23/2014	287101	BOYNTON FIRE SAFETY SERVICE	ANNUAL FIRE EXTINGUISHER INSPECTIONS	1,751.27
04/23/2014	287102	CANON FINANCIAL SERVICES, INC.	COPIER MAINTENANCE	274.60
04/23/2014	287103	CAPITAL AREA UNITED WAY	PAYROLL WITHHOLDING	29.00
04/23/2014	287104	CAROL'S APPAREL	SAFETY GREEN T'S W/ POCKETS	607.20
04/23/2014	287105	ANDREA CASCARILLA	PLANNING COMMISSION PER DIEM	200.00
04/23/2014	287106	CDW GOVERNMENT INC.	IPAD AIR, COMPUTERS, MONITORS, EQUIPMENT	13,747.81
04/23/2014	287107	CINTAS CORPORATION #725	BROWN TWP MATS ADMIN & SUBSTATION	84.00
04/23/2014	287108	CLASSIC COFFEE CO.	COFFEE, CREAM & SUGAR AT FIRE STATIONS	276.00
04/23/2014	287109	COMMERCIAL BLUEPRINT, INC.	INK CARTRIDGES & TAX BASE MAP BOOKS	768.00
04/23/2014	287110	DARLING INTERNATIONAL INC	RECYCLE GREASE	75.00
04/23/2014	287111	DATAMAIL SERVICES	PROCESS,PRINT,FOLD,INSERT,MAIL UTILITY BILLS	3,879.67
04/23/2014	287112	DBI BUSINESS INTERIORS	OFFICE SUPPLIES FOR MULTIPLE DEPARTMENTS	1,537.37
04/23/2014	287113	DEWITT FENCE COMPANY	GROUND SUPPLIES	9.80
04/23/2014	287114	DIGI-KEY 157843	BATTERIES 12V	224.89
04/23/2014	287115	DUCKETT BROTHERS DISTRIBUTING	BUILDING MAINTENANCE SUPPLIES	455.88
04/23/2014	287116	E.H. WARD	BALL FIELD REPAIR	2,147.64
04/23/2014	287117	EAGLE ENTERPRISE OF MICHIGAN, INC	SERVICE CALL TO CANAL RD DOOR REPAIR	475.00
04/23/2014	287118	EATON COUNTY TREASURER	REIMBURSE SALE OF MARCH 2014 DOG LICENSES	1,053.00
04/23/2014	287119	EATON COUNTY TREASURER	SPACE TAX MONIES MARCH 2014	457.50



04/23/2014	287120	ELECTION SYSTEMS & SOFTWARE	ANNUAL COVERAGE FOR ELECTIONS SOFTWARE	1,868.89
04/23/2014	287121	ETNA SUPPLY COMPANY	EQUIPMENT MAINTENANCE PARTS	1,480.00
04/23/2014	287122	EXOTIC AUTOMATION & SUPPLY	SWIVEL PIPE ELBOW, HOSE, PIPE THD REDUCE	30.15
04/23/2014	287123	FACILITY SOLUTIONS, INC.	ACID BASED CLEANER	184.65
04/23/2014	287124	JOHN DEERE FINANCIAL	MAINTENANCE ON JOHN DEERE EQUIPMENT	586.17
04/23/2014	287125	FIBERTEC ENVIRONMENTAL SERVICES	BIOSOLIDS MONITORING	21.00
04/23/2014	287126	FISH WINDOW CLEANING	WINDOW CLEANING	390.00
04/23/2014	287127	FLEETPRIDE	36ML HIGH STRENGTH THREADLOCKER -RED	213.63
04/23/2014	287128	BARBARA FOLEY	PAYROLL WITHHOLDING EMP 1	650.00
04/23/2014	287129	BARBARA FOLEY	PAYROLL WITHHOLDING EMP 2	170.13
04/23/2014	287130	PATRICIA GABRIEL	PLANNING COMMISSION PER DIEM	200.00
04/23/2014	287131	ANNE GANAKAS	EDC 1ST QUARTER PER DIEM	30.00
04/23/2014	287132	GRAINGER	HAZ MAT SUPPLIES	282.04
04/23/2014	287133	TONI GRIFFIN	EDC 1ST QUARTER PER DIEM	30.00
04/23/2014	287134	GUARDIAN ALARM	ALARM BILLING MONITORING & SERVICES	377.00
04/23/2014	287135	JOHN HANIESKI	1ST QUARTER PER DIEM	30.00
04/23/2014	287136	ERIK HANSEN	EDC 1ST QUARTER PER DIEM	30.00
04/23/2014	287137	HAWORTH, INC	CONFERENCE ROOM C TABLES & CHAIRS	3,186.00
04/23/2014	287138	HEINOWSKI APPRAISAL & CONSULTING	TAX APPEAL VAN ELSLANDER V. DELTA	4,200.00
04/23/2014	287139	JEFFREY HICKS	ZONING/SIGN BOARD PER DIEM	50.00
04/23/2014	287140	CHAD HIGBEE	PAINT ADMIN BLDG & CONFERENCE ROOM C	3,350.00
04/23/2014	287141	IIMC	IIMC ANNUAL MEMBERSHIP FEE	85.00
04/23/2014	287142	INSTY-PRINTS	INK AND PAITENT INFO SHEETS	160.40
04/23/2014	287143	J&B MEDICAL SUPPLY, INC	MEDICAL SUPPLIES-COVIDIEN SHARPSTAR	320.24
04/23/2014	287144	KENDALL ELECTRIC, INC.	HANDYBOX & PARTS	5.54
04/23/2014	287145	KONICA MINOLTA BUSINESS SOLUTIONS	MAINTENANCE FOR MONTH MARCH	25.50
04/23/2014	287146	KONICA MINOLTA BUSINESS SOLUTIONS	MAINTENANCE FOR MONTH APRIL	7.30
04/23/2014	287147	LACROSSE FORAGE & TURF SEED LLC	GROUNDS SUPPLIES 50# (80 BAGS)	1,779.70
04/23/2014	287148	KIM LAFORET	PLANNING COMMISSION PER DIEM	150.00
04/23/2014	287149	BOB LATHROP	PLANNING COMMISSION PER DIEM	50.00
04/23/2014	287150	LARRY LEATHERWOOD	EDC 1ST QUARTER PER DIEM	30.00
04/23/2014	287151	MIKE MACLAREN	PLANNING COMMISSION PER DIEM	200.00
04/23/2014	287152	ROBERT MCCONNELL	PLANNING COMMISSION PER DIEM	200.00
04/23/2014	287153	MENARDS	SUPPLIES AND MATERIALS	458.57

04/23/2014	287154	MICHIGAN COMPANY, INC.	BUILDING MAINTENANCE SUPPLIES	151.42
04/23/2014	287155	MID AMERICA SPORTS ADVANTAGE	RODGERS BREAK AWAY BASE SYSTEM FOR PARKS	162.20
04/23/2014	287156	MICHIGAN EDUCATION TRUST	PAYROLL WITHHOLDING	88.00
04/23/2014	287157	MICHIGAN ELECTION RESOURCES	OFFICAL M-100 BALLOTS (6,800) FOLD BALLOTS (2,875)	5,566.06
04/23/2014	287158	MICHIGAN PETROLEUM	VEHICLE OIL	596.95
04/23/2014	287159	MARK MUDRY	PLANNING COMMISSION PER DIEM	200.00
04/23/2014	287160	MURPHY & SPAGNUOLO, P.C.	AUDIT REVIEW INFORMATION	95.00
04/23/2014	287161	MARTY MYERS	INSTRUCTOR FOR NFPA PLAN REVIEW COURSE	900.00
04/23/2014	287162	NCL OF WISCONSIN	WWTP POTASSIUM PERSULFATE	216.11
04/23/2014	287163	NEDERMAN, INC.	LABOR FOR DAVE MARTINEZ/TRAVEL-EXHAUST	175.00
04/23/2014	287164	DAVID NEWMAN	ZONING/SIGN BOARD PER DIEM	50.00
04/23/2014	287165	NYE UNIFORM	UNIFORMS	366.46
04/23/2014	287166	SUSAN PARR	ZONING/SIGN BOARD PER DIEM	50.00
04/23/2014	287167	PRECISION PARTS & TOOLING	RESHARP CHIPPER BLADE	60.00
04/23/2014	287168	PURITY CYLINDER GASES, INC	REFILL PORTABLE TORCH BOTTLES & WELDER	206.19
04/23/2014	287169	PVS TECHNOLOGIES, INC.	WWTP FERRIC CHLORIDE	5,219.35
04/23/2014	287170	QUALITY TIRE, INC.	VEHICLE MAINTENANCE PARTS	750.48
04/23/2014	287171	INTERSTATE BILLING	RENTAL OF KOMATSU LOADER FOR DEBRIS SITE	7,350.00
04/23/2014	287172	ROSE PEST SOLUTIONS	PEST CONTROL - CONTRACTUAL	38.00
04/23/2014	287173	ROUTE 23	MYSTERY TRIP (HOLY TOLEDO- GLASS TOUR)	2,001.00
04/23/2014	287174	ALECIA RUSWINCKEL	PLANNING COMMISSION PER DIEM	200.00
04/23/2014	287175	JAMES SCHWEITZER	PLANNING COMMISSION PER DIEM	200.00
04/23/2014	287176	SHERWIN-WILLIAMS	PAINTS AND SUPPLIES	908.46
04/23/2014	287177	SPARROW OCCUPATIONAL HEALTH	EMPLOYEE DRUG TESTINGS	857.00
04/23/2014	287178	STATE OF MICHIGAN	FIRE PROTECTION SYSTEM INSPECTOR/PLAN	100.00
04/23/2014	287179	SUNDANCE CHEVROLET	SWITCH	50.71
04/23/2014	287180	THRUN LAW FIRM P.C.	MONTHLY STATEMENT FOR LEGAL FEES	10,311.12
04/23/2014	287181	TOTAL ENERGY SYSTEMS, LLC	TRANSFER SWITCH BOOSTER STATION	1,775.00
04/23/2014	287182	TRI-COUNTY REGIONAL PLANNING	CHILDRENS WATER FESTIVAL SPONSORSHIP	1,000.00
04/23/2014	287183	TRI TURF	DIAMOND MARKING POWDER	1,681.00
04/23/2014	287184	KENNETH VANHALL, III	REIMBURSMENT HOTEL ROOM EXPENSES	156.06
04/23/2014	287185	VIDCOM SOLUTIONS	SERVICE CALL GIS	536.25
04/23/2014	287186	TRI COUNTY TITLE	UTILITY REFUND FOR ACCOUNT: 00010254	20.00
04/23/2014	287187	BELL TITLE AGENCY	UTILITY REFUND FOR ACCOUNT: 00015431	10.76

04/23/2014	287188	FITZGERALD, PATRICIA	UTILITY REFUND FOR ACCOUNT: 00017754	15.54
04/23/2014	287189	FRANCIS, MARY LISA	UTILITY REFUND FOR ACCOUNT: 00028394	60.88
04/23/2014	287190	EASTBROOK HOMES	UTILITY REFUND FOR ACCOUNT: 00029964	10.76
04/23/2014	287191	TRI COUNTY TITLE	UTILITY REFUND FOR ACCOUNT: 00029401	4.46
04/23/2014	287192	ROBERT WILSON	EDC 1ST QUARTER PER DIEM	30.00

PAYABLES	1,848,453.35
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PAYROLL

PAY ENDING 3/15	309,697.99
PAY ENDING 3/29	316,333.94
PAY ENDING 4/12	342,115.61

**GRAND TOTAL: \$ 2,816,600.89**

**CHARTER TOWNSHIP OF DELTA**  
Public Meeting Room B  
Delta Township Administration Building  
7710 West Saginaw Highway  
Lansing MI 48917

**TOWNSHIP BOARD COMMITTEE OF THE WHOLE MINUTES**  
**MONDAY, MARCH 10, 2014**

**I. CALL TO ORDER –**

Supervisor Fletcher called the meeting to order at 6:00 p.m.

**II. ROLL CALL –**

Members Present: Trustees Karen Mojica, R. Douglas Kosinski, Jeff Hicks and Dennis Fedewa, Treasurer Howard Pizzo, and Supervisor Kenneth Fletcher.

Members Absent: Clerk Mary R. Clark

Others Present: Township Manager Richard Watkins, Deputy Manager Jenny Roberts, Community Development Director Mark Graham, Parks, Recreation and Cemeteries Director Marcus Kirkpatrick, Economic Coordinator Ed Reed.

TRUSTEE FEDEWA MOVED TO EXCUSE CLERK MARY R. CLARK.

TRUSTEE MOJICA SUPPORTED THE MOTION. THE MOTION PASSED 6-0 (CLERK CLARK ABSENT).

**III. SET/ADJUST AGENDA –**

TREASURER PIZZO MOVED TO ADOPT THE AGENDA AS PRESENTED.

TRUSTEE MOJICA SUPPORTED THE MOTION.

THE MOTION PASSED 6-0 (CLERK CLARK ABSENT)

**IV. PUBLIC COMMENT – None**

**V. MANAGER'S REPORT –**

- A revised proposal from the City of Lansing for the Grand Woods lease was received – with the four month cancellation notice removed. The contract is now for 2 years for the price of an appraisal. Manager Watkins would like to place on the next Board Meeting agenda for approval and stated that the contract length allows time for dialogue with the City of Lansing and for them to put a proposal on the ballot.



- Four Zoning Ordinance Proposals were received and have not yet been reviewed. Manager Watkins states that after review and discussion with the companies, they will be brought to the Board for discussion. Manager Watkins emphasized the Saginaw corridor will be a primary area for the contractors to review.
- Manager Watkins stated that the Sign Ordinance is out for proposal currently and will be back shortly and will be brought to the Board for discussion.
- The Eaton County Road Commission meeting with all of the Townships is March 24, 2014 at the Eaton County Road Commission. Manager Watkins stated that he and Community Development Director Mark Graham attend and is open to any Board Members that would like to attend.
- Manager Watkins stated regarding negotiations for the Firefighter contract, strategy sessions have occurred; however that Union is looking to change representation. Manager Watkins stated that he has been notified that the contract negotiations will likely not begin until the current contract has expired which is the middle of next month.

Trustee Kosinski asked whether the current agreement automatically extends through new negotiations. Manager Watkins stated that some provisions do and some don't such as step increases.

Supervisor Fletcher noted the Bill going through the Legislature that would change the current law stating that retroactive increases cannot be made at the end of contract negotiations to allow retroactive pay increases for Police and Fire.

- Manager Watkins stated regarding the Looking Glass agreement, a formula has been set at a 20% administration fee plus 6% of all Ambulance runs and based upon last year figures would have split the savings equally. Manager Watkins also stated there is an addendum stating the Township will handle the maintenance of their equipment and building for an additional \$6,000 annually.

## **VI. ITEMS OF DISCUSSION –**

### **1. Grant Applications to the Department of Natural Resources, Marcus Kirkpatrick**

Parks, Recreation & Cemeteries Director Marcus Kirkpatrick states that the Township has applied for four grants through the Department of Natural Resources. The first grant application to the Michigan National Resources Trust Fund and is to connect the Pathway from Willow Hwy. to Old River Trail, which will allow safe passage. The total project cost is \$550,000. of which the Township has a 25% match. The maximum grant amount is \$300,000 making the Township cost \$250,000. This project is part of the Parks Master Plan as well as The Non-Motorized Transportation Plan.

The second project is land acquisition purchase at Mt. Hope, the immediate property to the West. Application is to the Michigan National Resources Trust Fund and the total project cost is \$375,000. The Township again has the 25% match making the grant request of \$281,250 and the Township cost of \$93,750. This project is part of the Parks Master Plan.

Trustee Fedewa asked if there was something showing where the Pathway would be, Director Kirkpatrick said there is. Manager Watkins stated that several different routes were reviewed for this section of pathway, the creek side portion presented many challenges and it was decided that using some of the Hunter property purchased 5-6 years ago.

Community Development Director Graham stated that the cost along the creek was substantially more than the current plan.

Trustee Fedewa asked whether the Department of Transportation had concerns with the creek side installation. Manager Watkins stated that the concern was on behalf of the Township as it would have to purchase Right of Way. Manager Watkins also stated that the latter proposal provides a parking area and gives the Township the ability to extend the parking area.

Treasurer Pizzo asked whether the proposal includes the parking expansion. Director Graham stated that the expansion is not covered in the cost; however the land is the Township's. Treasurer Pizzo asked if the total cost of \$550,000 is the entire trail.

Supervisor Fletcher stated that if there was agreement about the project going forward, a resolution would be placed on the Agenda for the next Board Meeting and there was general consensus.

Director Kirkpatrick was asked if the Master Plan proposed purchasing the property and Director Kirkpatrick stated that the Master Plan did not mention purchasing the property but is a development of the Mt. Hope property and the purchase would enhance what the Township currently has (60+ acres).

Manager Watkins stated the Township has been in contact with the owner and the property has the VOR unit on it for the airport and that restricts what can be done on the property. There are height restrictions in different areas of the property which fits into a park property. The property has been for sale before and the owner currently resides in the Detroit area.

Director Graham stated the property is zoned A2 as there are no utilities on the property. Trustee Fedewa confirmed that if the Township purchased the property with the intent to develop that it would then need to install the utilities. Director Graham stated that the Township is considering an

extension of utilities from Ashford Manor and Pointe West. Manager Watkins clarified that the extension of utilities to the property being considered for purchase would be difficult and that what Director Graham was referring to is the property the Township currently owns.

Director Kirkpatrick stated the third project, also part of the Parks Master Plan, is redevelopment of the Delta Mills tennis courts to pickleball courts which is growing in popularity particularly amongst senior citizens. The grant application is being made to the Land and Water Conservation Fund. The total project cost is \$25,000 of which the Township match is 50% making the Township cost is \$12,500. Director Kirkpatrick stated that the project would take the 2 existing tennis courts and convert them to 6 pickleball courts.

Director Kirkpatrick stated the forth project is purchase and installation of vault type restrooms at Hawk Meadow Park, which is also in the Parks Master Plan as well as the annual Capital Improvement Plan. Application is being made to the Recreation Passport Fund for \$41,250. Total project cost is \$55,000; the Township has a 25% match of \$13,750.

## **2. Leap Public Art Grant Discussion, Jenny Roberts and Ed Reed**

Economic Development Director Ed Reed stated that he and Deputy Manager Roberts met with the LEAP Art Committee to review the Township Application submitted. Director Reed stated there were two areas of discussion, the first related to review of the Art Policy the Township has, which is consistent with the policies of East Lansing and the policies that LEAP had in its proposals. The LEAP Art Committee explained that the grant is for a relatively small amount of money (\$10,000) and that when purchasing art for a relatively low amount that perhaps if artist chooses to, they be able to retain the intellectual property of the art – which allows future reproductions of it. The Township was ask to consider changing its policy to reflect similar language.

Deputy Manager Roberts stated that the change of the policy was not only for the LEAP grant, but on a go forward basis.

Supervisor Fletcher asked whether this would apply for any artwork the Township purchases. Director Reed stated that his understanding is consistent with Deputy Manager Roberts'.

Manager Watkins stated that perhaps a specified limit should be outlined in the policy. Director Reed stated based on conversations with LEAP, felt they would be receptive to that additional criteria.

Treasurer Pizzo asked whether specific language was provided by LEAP to effect the change and Deputy Manager Roberts stated that LEAP provided a

sample policy and that her understanding of the policy change allowed the artist duplication rights, not to remove the art installation. Director Reed confirmed.

Manager Watkins asked whether language was provided. Deputy Manager Roberts stated printed and verbal language was given.

Deputy Manager stated the committee also suggested adding a paragraph stating how the process would begin such as always using a consultant or the Township would always search. So language was added stating the Township may use a consultant.

Manager Watkins stated that perhaps the same sort of permissive language should be used in the intellectual property to the effect of the Township may or may not.

Trustee Kosinski asked whether it is possible that the LEAP Art Committee would be amenable inserting language indicating that retention of intellectual property rights is negotiable. Director Reed stated he believes they would be open to that type of permissible language.

Supervisor Fletcher asked whether the Library art is covered under the Township policy or if they have a separate policy. Manager Watkins stated that they have a separate policy.

Deputy Manager Roberts stated the policy does need to be amended before LEAP will consider the grant application and would need to be placed on the next Board meeting agenda.

Trustee Fedewa asked for clarification of the art project. Director Reed stated the original proposal was to obtain grant funding to install a piece of artwork at the intersection of Canal and Saginaw Hwy. on Township property, and that the art has not yet been obtained.

### **3. IT Report, Dave Marquette**

Information Technology Director Dave Marquette outlined the major projects in 2013 as the following:

- Selection and installation of a complete phone system upgrade with Zayo Enterprise Networks.
- Worked with the Building Division to improve efficiencies, eliminating manual processes, digitizing previous paper. As well as performing cross-training.
- An IT Strategic Plan was developed focusing on 9 goals with five visions in mind; residents first, workplace, access anywhere, information gateway and to promote Delta Township.
- Redesign of the Township website.



- The I Am Delta branding campaign.

Some upgrades and additions in 2013 were as follows:

- The HR Department was upgraded to BS & A Human Resources.NET and old paper documents are being scanned into that software.
- A major RecPro upgrade which has to do with online registrations.
- Mobile printing at the District Library.
- Text messaging library patrons for notices.
- iPad stations geared toward Senior Citizens.

Hardware & Server Technology upgrades in 2013

- Microsoft Server 2012 running on 5 servers in the Township datacenter.
- Remote Desktop Services hosting cloud applications at apps.deltami.gov
- Built a new network at Delta Patrol
- Two new copiers installed
- Room B technology upgrade.

Ice Storm of 2013 – How is I.T. related?

1. Redundancy
  - Power was out at Township hall 2+ days.
  - All servers, phones, switches, fiber connections, internet service backup equipment, and the entire Township datacenter were online at all times during the outage.
2. Communication
  - Website updates
  - Facebook Posts (shared 230+ times, reached 30,439 people.

Goals outlined for 2014 include the following:

- Online Permitting
- Touch screen kiosks
- Township Apps
- Laserfiche expansion for project management.
- Server replacement
- Windows 8 Upgrades
- Instant Messaging
- Social Media Expansions
- I Am Delta

#### **4. Parks, Recreation, & Cemeteries Department Report, Marcus Kirkpatrick**

Director Kirkpatrick stated one major activity was implementing Smoke Free Parks. Below are activities in 2013 and how they compared to 2012.

**Events:**

	<u>2012</u>	<u>2013</u>
Daddy/Daughter Dance Participants	278	325
Delta Rocks! Family Festival - approximate	15,000	15,000
Home Party Sale Fall Vendors	28	23
Home Party Sale Fall Attendees	130	300
July 3 Fireworks Spectators - approximate	30,000	30,000
Kids Mud Run - Children Runners	n/a	116
Kids Mud Run - Adult Runners	n/a	87
Lighted Pumpkin Trick or Treat Businesses	20	33
Lighted Pumpkin Trick or Treat Adults	700	1600
Lighted Pumpkin Trick or Treat Children	800	875
Meet and Greet with the Easter Bunny	n/a	43
Monster Mash Participants	220	226
Mother/Son Dance Participants	113	154
Music in the Park Spectators	250	300
Nursery School Olympics Participants	*	208
Pacers Walking Club Participations	1,333	1,047
Pint Size Picassos Program Participations	835	856
Santa's Hotline Calls	48	51
Sweets and Treats with Santa Participants	160	164
Touch a Truck Day Trucks	30	29
Touch a Truck Day Participants	125**	2,000
Wacky Walk	57	63

Director Kirkpatrick stated that new security steps will be taken in regard to fireworks in 2014 to include fencing with 2 entrances, perimeter security, bag inspections, marking and parking passes.

**Adult Sports:**

	<u>2012</u>	<u>2013</u>
Adult Summer Softball Teams	75	74
Adult Summer Softball Players	1,125	1,110
DNR/DEQ League Teams	8	8

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DNR/DEQ League Players	120	120
Methodist Church League Teams	8	8
Methodist Church League Players	120	120
MASA Softball Tournament Teams	35	32
MASA Softball Tournament Players	525	480
Adult Coed Sand Volleyball Sum. Team	14	14
Adult Coed Sand Volleyball Sum. Player	84	84
Adult Coed Sand Volleyball Fall Teams	14	5
Adult Coed Sand Volleyball Fall Players	84	30
Adult Fall Softball Teams	31	37
Adult Fall Softball Players	465	555
Adult Coed Kickball Summer Teams	18	24
Adult Coed Kickball Summer Players	270	360
Adult Coed Kickball Fall Teams	12	15
Adult Coed Kickball Fall Players	180	225
Winter Kickball Tournament Teams	6	9
Winter Kickball Tournament Players	90	135

Youth Sports:

	<u>2012</u>	<u>2013</u>
Spring Youth Soccer Players	404	519
Fall Youth Soccer Players	276	229
Spring Itty Bitty Kickers	n/a	64
Fall Itty Bitty Kickers	65	44
Youth Boys Baseball Players	95	144
Youth Girls Softball Players	79	88
Youth Coed T-Ball Players	254	203
Youth Flag Football Teams	14	14
Youth Flag Football Players	125	104
Youth and Adult Golf Participants	17	52
Youth Tennis Lessons Participants	37	43
Youth Coed Basketball Players	197	170
Youth Basketball Spring Camp Participants	44	47
Youth Basketball Fall Camp Participants	74	45

Delta 39ers:

	<u>2012</u>	<u>2013</u>
Arthritis Exercise	281	207
Bingo Participants	3,856	4,304
Blood Pressure Checks	111	131
Bridge Participants	1,129	954

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Chair Exercise	7,428	7,786
Chair Massage	167	160
Cribbage Participations	339	285
Enhance Fitness	352	55
Euchre Participants	2,621	2,133
Foot Care Participants	197	183
Jazzercise Lite Participations	872	1,015
Lunches Served	3,780	3,958
Lunch Bunch Participants	164	171
Pinochle Participants	617	680
Scrabble Participants	16	236
Tai Chi Class Participations	n/a	71
Yoga Class Participations	647	1,461
Zumba Gold	n/a	909
39ers Trips Offered	18	24
Trips Participants	281	307
Christmas Luncheon	54	58

Aquatics:

	<u>2012</u>	<u>2013</u>
Swim Class Registration	479	402
Swim Class Participations (participants x8)	3,832	3,216
Adult Aerobic Participations	13,808	10,303
Adult Aerobic Cards	1,239	968
Family Swim /Lap Swim Participations	3,734	3,405
Family Swim/Lap Swim Cards	263	287

Director Kirkpatrick outlined some 2014 objectives as:

- Working on Our Savior Lutheran to have 2 ball fields
- Working with the PTA at Elmwood Elementary to collaborate in developing a track and 2 soccer fields.
- Pool Lease Expansion – Family changing area
- Softball League – 35 & Older
- Development of Scholarship program and fundraisers
- Volunteer program – attract, retain and recognize

Director Kirkpatrick stated that there are multiple parks improvements slated for 2014. The Maycroft pathway was completed. Such as asphalt paving and bumper blocks in Hunter's Orchard. A donated bench was installed at Hawk Meadow Park. In Erickson Park the Township added 2 soccer fields and steel

siding for concessions stand. There will be pickleball courts at Delta Mills courts.

Director Kirkpatrick stated that in 2013 AED's were installed in the Administration Building & Enrichment Centers. That the Parks Department assisted with the renovations done in the Accounting and Clerk's departments and replaced the chairs in the Community Center. During 2014, the Building Department and Room C will be renovated and the West parking lot resurfaced.

Director Kirkpatrick stated that in 2013 revenue derived from rentals of the Community Center, Enrichment Center, shelter and pavilion and farm land rentals was \$69.770 from 695 rentals.

Director Kirkpatrick stated in regard to recycling, the Township is contracting with a new electronics company since the prior one went out of business. Director Kirkpatrick provided information as to the volume of recycled material taken in at the recycling center as this information is also reported to the County so they know how much material was diverted from a landfill. Also of note, the storm debris collection site at Player's Club is reopening March 27-29, 2014 and there will also still be the free to Delta Township residents, yard waste events on May 17 and May 19, 2014. Director Kirkpatrick also noted that research into the curbside recycling will continue into 2014.

Director Kirkpatrick noted in regard to Cemeteries, the Rules and Regulations were revised, general maintenance was done, and buildings are monitored by the Utility Department. During 2014 green burials and scatter wall in conjunction with the Clerk's office will be researched.

#### **5. Utilities Department Report, Tom Morrissey**

Utilities Director Tom Morrissey provided the following as department accomplishments in 2013 for the Utility Department:

- Township Alarm System Is Completely Operational
- Maintenance of Delta Patrol Vehicles Going Very Well
- Lansing Township SCADA Project Moving Forward
- Lansing Township Radio Read Coming In a Year or So
- Broadbent Water Main Working Better Than Expected
- Huntington Acres Completed. Restoration This Spring

Director Morrissey stated the goals for drinking water as the following:

- Provide the best possible service to our customers
- Keep an adequate supply of water in storage for fire protection
- Keep current with NEW EPA and M-DEQ requirements
- Monitor our infrastructure for problem areas & updates



- Continue to look for lost revenue - Un-billed Water

Director Morrissey stated that new water meters were purchased and installed beginning in 2010 for some of the larger Township commercial customers, which resulted in an increase in revenues. More installations are planned.

Director Morrissey provided figures for water purchased from the Board of Water & Light back to 1996 and overall consumption is up.

Director Morrissey outlined the goals for Wastewater as follows:

- Provide the best possible service to our customers
- Continue to clean sanitary sewers to prevent back-ups
- Keep current with NEW EPA and M-DEQ requirements
- Monitor our infrastructure for problem areas & updates
- Continue to look Inflow & Infiltration (I&I) to prevent access plant flows

Director Morrissey provided history of the treated water at the Waste Water Treatment plant back to 1989 and 2011 was up due to the warm weather, however remains fairly stable.

Manager Watkins stated some concerns regarding the Lansing Mall relating to gang members. Manager Watkins stated that there were 30-50 gang members this past weekend and believes that a plan needs to be developed to deal with this quickly. Manager Watkins stated that it was shown via research that their presence was planned. When they were removed from the Mall, they went to the Theaters and when removed from there they went to Meijers and were shoplifting.

Supervisor Fletcher provided information on the Grand Ledge Public Schools Bond Proposal and stated they are holding a rally on March 25, 2014 and looking for people to pledge themselves and 10 others to attend the rally.

## **VII. ADJOURNMENT**

Supervisor Fletcher adjourned the meeting at 7:56 p.m.

CHARTER TOWNSHIP OF DELTA

MARY R. CLARK, CLERK

KENNETH FLETCHER, SUPERVISOR

**CHARTER TOWNSHIP OF DELTA**  
Public Meeting Room A  
Delta Township Administration Building  
7710 West Saginaw Highway  
Lansing MI 48917

**TOWNSHIP BOARD REGULAR MEETING MINUTES FOR  
MONDAY, MARCH 17, 2014**

**I. CALL TO ORDER**

**II. OPENING CEREMONIES – Pledge of Allegiance**

**III. ROLL CALL**

Members Present: Trustee Dennis Fedewa, Trustee Jeff Hicks, Trustee Doug Kosinski, Clerk Mary Clark, Treasurer Howard Pizzo, and Supervisor Kenneth Fletcher. Trustee Karen Mojica

Members Absent: None

Others Present: Community Development Director Mark Graham, Lieutenant Jeff Campbell, Planner Chris Guba and Manager Richard Watkins.

**IV. PRESENTATIONS AND PROCLAMATIONS**

**1. Resolution to Proclaim March 2014 as “Certified Government Financial Manager Month”.**

TREASURER PIZZO MOVED TO TOWNSHIP BOARD ADOPT THE PROCLAMATION TO PROCLAIM MARCH 2014 AS “CERTIFIED GOVERNMENT FINANCIAL MANAGER MONTH”.

**WHEREAS**, the Greater Lansing Chapter of the Association of Government Accountants (AGA) is a professional organization, part of the Association of Government Accountants which has a network of 15,000 members in 100 chapters in the United States and around the world and approximately 115 active members representing state, federal, municipal and private sector accountants, auditors, and financial managers in Michigan; and

**WHEREAS**, AGA Greater Lansing Chapter members have responded to AGA’s mission of Advancing Government Accountability, as it continues its broad educational efforts, with emphasis on high standards of conduct, honor, and character in its Code of Ethics, and are making significant advances both in

professional ability and in service to the citizens of Michigan by mastering increasingly technical and complex requirements, and

**WHEREAS**, the Certified Government Financial Manager (CGFM) program of AGA provides a means of demonstrating professionalism and competency by requiring CGFM candidates to have appropriate educational and employment history, to abide by AGA's Code of Ethics and to pass three examinations requiring expertise in Governmental Environment, Governmental Financial Management and Control, and Governmental Accounting, Financial Reporting and Budgeting, and requires each CGFM holder to maintain certification by completing at least 80 hours of continuing professional education in government financial management topics or related technical subjects every two years.

**NOW, THEREFORE, BE IT RESOLVED**, that the Township Board of the Charter Township of Delta do hereby proclaim the month of March 2014 as  
**CERTIFIED GOVERNMENT FINANCIAL MANAGER MONTH**

Presented this 17th day of March 2014, in the Charter Township of Delta. In witness whereof, we have hereunto affixed the seal below.

TRUSTEE KOSINSKI SUPPORTED THE MOTION.

THE MOTION PASSED 7-0.

**DRAFT**

**V. SET/ADJUST AGENDA**

TREASURER PIZZO MOVED TO ADOPT THE AGENDA AS PRESENTED.

TRUSTEE MOJICA SUPPORTED THE MOTION.

THE MOTION PASSED 7-0.

**VI. PUBLIC HEARINGS - NONE**

**VII. COMMUNICATIONS - NONE**

**VIII. PUBLIC COMMENTS FOR ITEMS NOT ON AGENDA (*maximum two minutes*)**

**IX. INTRODUCTION OF ORDINANCES**

**X. PASSAGE OF ORDINANCES**

**XI. CONSENT AGENDA –**

TREASURER PIZZO MOVED TO APPROVE THE CONSENT AGENDA AS SUBMITTED.

TRUSTEE MOJICA SUPPORTED THE MOTION.

ROLL CALL:

AYES: TREASURER HOWARD PIZZO, TRUSTEE KAREN MOJICA, TRUSTEE DENNIS FEDEWA, TRUSTEE JEFF HICKS, TRUSTEE R. DOUGLAS KOSINSKI, CLERK MARY R. CLARK, AND SUPERVISOR FLETCHER.

NAYS: NONE

ABSENT: NONE

THE MOTION PASSED 7-0

<b>2. Bills and Financial Transactions</b>	<b>\$1,133,671.46</b>
Bond/Debt Payments	
Investments	
Payroll & Related	316,086.32
Rebills	2,156.36
Tax Distributions	417,625.71
Vendor Claims	397,803.07
Total	\$ 1,133,671.46

TREASURER PIZZO MOVED TO APPROVE THE BILLS AND FINANCIALS IN THE AMOUNT OF \$1,133,671.46.

TRUSTEE MOJICA SUPPORTED THE MOTION.

THE MOTION PASSED 7-0.

### **3. Minutes**

March 3, 2014 – Regular Board Meeting Minutes

TREASURER PIZZO MOVED TO APPROVE THE MARCH 3, 2014, REGULAR BOARD MEETING MINUTES AS PRESENTED.

TRUSTEE MOJICA SUPPORTED THE MOTION.

THE MOTION PASSED 7-0.

**4. Payment of Vouchers**

TREASURER PIZZO MOVED THE TOWNSHIP BOARD GIVE THE TOWNSHIP MANAGER THE AUTHORITY TO RELEASE PAYMENT OF VENDOR INVOICES, WHICH HAVE BEEN APPROVED BY THE TOWNSHIP CLERK AND FINANCE DIRECTOR, AND WHICH WOULD HAVE NORMALLY BEEN PRESENTED FOR PAYMENT AT THE APRIL 7, 2014 MEETING, AND FURTHER, THESE SAME VOUCHERS WOULD BE PRESENTED FOR TOWNSHIP BOARD APPROVAL AT THE BOARD OF TRUSTEES REGULAR MEETING SCHEDULED FOR APRIL 21, 2014.

TRUSTEE MOJICA SUPPORTED THE MOTION.

THE MOTION PASSED 7-0.

**5. Recommendation to Amend Public Art Displays & Exhibits Policy**

The Community Development Department recommends that the Township board amend the Township's Art Displays and Exhibits Policy for the purpose of clarifying the intent of the Policy.

TREASURER PIZZO MOVED TO AMEND THE PUBLIC ART DISPLAYS & EXHIBITS POLICY EFFECTIVE MARCH 17, 2014 BY ADDING THE FOLLOWING LANGUAGE, "OWNERSHIP OF THE INTELLECTUAL PROPERTY WILL BE NEGOTIATED ON A CASE BY CASE BASIS" AND "THE TOWNSHIP WILL COORDINATE EFFORTS WITH A CONSULTANT AND/OR AN ARTS COUNCIL COMPRISED OF LOCAL CITIZENS TO REVIEW PROPOSALS AND MAKE A RECOMMENDATION ON A SELECTION OF THE ARTIST AND ARTWORK. CONTRACTS WILL BE COMPLETED UNDER THE SUPERVISION OF THE TOWNSHIP MANAGER."

TRUSTEE MOJICA SUPPORTED THE MOTION.

THE MOTION PASSED 7-0.

**6. Recommendation to Approve Final Payment to Bernath-Coakley Associates Architects, Inc.**

The Manager's Office recommends that the Township Board approve final payment to Bernath-Coakley Associates Architects, Inc. for their services with regard to the remodeling project of the Building Division and the Delta Patrol office.

TREASURER PIZZO MOVED THAT THE DELTA CHARTER TOWNSHIP BOARD AUTHORIZE FINAL PAYMENT TO BERNATH-COAKLEY ASSOCIATES ARCHITECTS, INC. IN THE AMOUNT OF \$11,775.00 FOR SERVICES PROVIDED FOR THE MODIFICATIONS TO THE COMMUNITY DEVELOPMENT DEPARTMENT OFFICES AND THE EATON COUNTY SHERIFF SUBSTATION LOCKER ROOM AND HALLWAY AREAS.

TRUSTEE MOJICA SUPPORTED THE MOTION.

THE MOTION PASSED 7-0.

**7. Recommendation to Approve Change Order Number 1 and Final Payment to Laux Construction, LLC.**

The Manager's Office recommends that the Township Board approve change Order No. 1 and final payment to Laux Construction, LLC for the remodeling project of the Building division and the Delta Patrol office.

**DRAFT**  
TREASURER PIZZO MOVED THAT THE DELTA CHARTER TOWNSHIP BOARD AUTHORIZE FINAL PAYMENT TO LAUX CONSTRUCTION, LLC IN THE AMOUNT OF \$54,341.00 FOR SERVICES PROVIDED FOR THE MODIFICATIONS TO THE COMMUNITY DEVELOPMENT DEPARTMENT OFFICES AND THE EATON COUNTY SHERIFF SUBSTATION LOCKER ROOM AND HALLWAY AREAS.

TRUSTEE MOJICA SUPPORTED THE MOTION.

THE MOTION PASSED 7-0.

**8. Recommendation to Approve a Grant Application through the Michigan Department of Natural Resources.**

The Manager's Office recommends that the Township Board provide authorization to apply for funding through the Michigan Natural Resources Trust Fund and to construct the shared use path from Willow Highway North to Old River Trail.

TREASURER PIZZO MOVED TO ADOPT THE FOLLOWING RESOLUTION OF SUPPORT TO APPLY FOR GRANT FUNDING THROUGH THE MICHIGAN NATURAL RESOURCES TRUST FUND AND TO CONSTRUCT THE SHARED USE PATH FROM WILLOW HIGHWAY NORTH TO OLD RIVER TRAIL.

**"Whereas**, Delta Township is desirous of implementing goal number 3 of



the Parks Master Plan and goal number 1 of the Non-Motorized Transportation Plan; and

**Whereas**, Delta Township is eager to further facilitate the connection between neighborhoods and Township parks, and

**Whereas**, the Township has the necessary funding to provide for the match and the operation and maintenance of the project; and

**Therefore**, be it hereby resolved that authorization is given for the Parks and Recreation Department to apply for funding through the Michigan National Resources Trust Fund for the shared use path from Willow Highway north to Old River Trail for a project totaling \$495,000, and

**Further**, that the Township provide matching funds of 39%, (\$195,000) from its general fund, and that the grant request be for the remaining 61%, (\$300,000), and

**Further**, that Marcus Kirkpatrick, Parks and Recreations Director, be designated as the Township's representative for the project."

TRUSTEE MOJICA SUPPORTED THE MOTION.

THE MOTION PASSED 7-0.

**9. Recommendation to Approve a Grant Application through the Land and Water conservation Fund.**

The Manager's Office recommends that the Township Board provide authorization to apply for funding through the land and Water Conservation Fund, to redevelop the tennis courts at Delta Mills Park and convert them into Pickleball courts.

TREASURER PIZZO MOVED TO ADOPT THE FOLLOWING RESOLUTION OF SUPPORT TO APPLY FOR GRANT FUNDING THROUGH THE LAND AND WATER CONSERVATION FUND AND DESIGNATE THE TOWNSHIP'S AGENT FOR THE GRANT ADMINISTRATION.

**Whereas**, Delta Township is desirous of implementing priority number 4 of the Parks Master Plan and goal number 2 of the Strategic; and

**Whereas**, Delta Township is eager to further facilitate the connection between neighborhoods and Township parks, and

**Whereas**, the Township has the necessary funding to provide for the match and the operation and maintenance of the project; and

**Therefore**, be it hereby resolved that authorization is given for the Parks and Recreation Department to apply for funding through the Michigan Land and Water Conservation Fund for the development of Pickleball courts for a project totaling \$54,500, and

**Further**, that the Township provide matching funds of 50%, (\$27,250) from its general fund, and that the grant request be for the remaining 50%, (\$27,250), and

**Further**, that Marcus Kirkpatrick, Parks and Recreations Director, be designated as the Township's representative for the project."

TRUSTEE MOJICA SUPPORTED THE MOTION.

THE MOTION PASSED 7-0.

10. Recommendation to approve a Grant Application through the Michigan Recreation Passport Grant Program.

TRASUPER RIZZO MOVED TO ADOPT THE FOLLOWING RESOLUTION AND GRANT AUTHORIZATION TO PROCEED WITH THE APPLICATION TO THE MICHIGAN RECREATION PASSPORT GRANT PROGRAM FOR THE PURCHASE AND INSTALLATION OF VAULT TYPE RESTROOMS AT HAWK MEADOW PARK.

**Whereas**, Delta Township is desirous of implementing priority number 3 of the Parks Master Plan and goal number 4 of the Strategic Plan; and

**Whereas**, Delta Township is eager to further facilitate the connection between neighborhoods and Township parks, and

**Whereas**, the Township has the necessary funding to provide for the match and the operation and maintenance of the project; and

**Therefore**, be it hereby resolved that authorization is given for the Parks and Recreation Department to apply for funding through the Michigan Recreation Passport Grant Program for the purchase and installation of vault type restrooms at Hawk Meadow Park for a project totaling \$89,000, and

**Further**, that the Township provide matching funds of 25%, (\$22,250) from its general fund, and that the grant request be for the remaining 75%, (\$66,750),

and

**Further**, that Marcus Kirkpatrick, Parks and Recreations Director, be designated as the Township's representative for the project."

TRUSTEE MOJICA SUPPORTED THE MOTION.

THE MOTION PASSED 7-0

**11. Recommendation to Approve a Grant Application through the Michigan Natural Resources Trust Fund.**

The Manager's Office recommends that the Township Board provide authorization to apply for funding through the Michigan Natural Resources Trust Fund for the Land Acquisition – Purchase of parcel #23-040-030-300-202-00, on Mount Hope Highway to facilitate future park development.

TREASURER PIZZO MOVED TO ADOPT THE FOLLOWING RESOLUTION OF SUPPORT OF APPLICATION FOR GRANT FUNDING TO THE MICHIGAN NATURAL RESOURCES TRUST FUND FOR THE LAND ACQUISITION – PURCHASE OF PARCEL #23-040-030-300-202-00, ON MOUNT HOPE HIGHWAY TO FACILITATE FUTURE PARK DEVELOPMENT.

**Whereas**, Delta Township is desirous of implementing goal number 2 of the Parks Master Plan and goal number 2 of the Strategic Plan; and

**Whereas**, Delta Township is eager to further facilitate the connection between neighborhoods and Township parks, and

**Whereas**, the Township has the necessary funding to provide for the match and the operation and maintenance of the project; and

**Therefore**, be it hereby resolved that authorization is given for the Parks and Recreation Department to apply for funding through the Michigan National Resources Trust Fund for the purchase of the Mount Hope Property for a project totaling \$375,000, and

**Further**, that the Township provide matching funds of 25%, (\$93,750) from its general fund, and that the grant request be for the remaining 75%, (\$281,250), and

**Further**, that Marcus Kirkpatrick, Parks and Recreations Director, be designated as the Township's representative for the project."

TRUSTEE MOJICA SUPPORTED THE MOTION.

THE MOTION PASSED 7-0.

**XII. ITEMS REMOVED FROM CONSENT AGENDA FOR DISCUSSION**

**XIII. ITEMS ADDED TO AGENDA UNDER SECTION V. SET/ADJUST AGENDA**

**XIV. ITEMS OF BUSINESS**

**12. Recommendation for Approval of the Looking Glass Regional Authority Contract Provisions.**

The manager's Office recommends that the township board approve the amendment to the agreement with Looking glass Regional Fire Authority changing the formula in Exhibit A and adding Exhibit D.

CLERK CLARK MOVED THAT THE TOWNSHIP BOARD HEREBY APPROVE THE AMENDMENT TO THE AGREEMENT WITH LOOKING GLASS REGIONAL FIRE AUTHORITY BY CHANGING THE FORMULA IN EXHIBIT A TO READ AS FOLLOWS:

1. Each year of the Agreement, Delta Township shall compute a proposed budget to provide service to the LGRFA.
2. One hundred twenty (120) days prior to the start of a new year, Delta Township shall meet with the LGRFA to discuss the projected budget. Financial information obtained during the period from August 1 of the prior year to July 31 of the current year shall be the basis of these discussions.
3. Adjustments will be made and the budget will be finalized thirty (30) days prior to the start of the year. If agreement cannot be reached, the termination process will be instituted with a one (1) year budget equal to the previous year, plus 3% or the cost of living, whichever is greater.
4. Delta Township and the LGRFA agree that any increases/decreases that may occur during a term of service shall be adjusted by mutual consent of the parties.
5. The method computing the yearly payment from the LGRFA to Delta Township will be as follows:
  - a. Yearly proposed budget

- b. Plus 20%
- c. Minus 94% of the ambulance income for the period of August 1st of the prior year to July 31st of the current year.

AND BY ADDING SECTION 5.1(H) WHICH READS AS FOLLOWS:

5.1(h) Specific administrative and supervisory functions as described in the Specific Administrative and Supervisory Functions statement attached hereto and made a part hereof as Exhibit “D”.

TREASURER PIZZO SUPPORTED THE MOTION.

THE MOTION PASSED 7-0.

**13. Recommendation to Approve Commission Board Appointments and Reappointments.**

The Township Supervisor recommends that persons contained in a memo dated March 17, 2014 to the Township Board be appointed and/or reappointed to the Township Board Commissions.

TRUSTEE LOSINSKI MOVED THAT THE PERSONS AS LISTED BELOW, CONTAINED IN A MEMO DATED MARCH 17, 2014 TO THE TOWNSHIP BOARD BE APPOINTED AND/OR REAPPOINTED TO THE TOWNSHIP BOARDS/COMMISSIONS, AND

THAT THE CLERK IS HEREBY DIRECTED TO SEND NOTIFICATION TO ALL OF THOSE SELECTED INFORMING THEM OF THEIR APPOINTMENT AND/OR REAPPOINTMENT, AND THOSE WHO WERE NOT SELECTED THANKING THEM FOR THEIR INTEREST IN SERVING THEIR COMMUNITY.

**Planning Commission**

Bob Lathrop is recommended for reappointment to a three year term expiring March 31, 2017.

Kim Laforet is recommended for reappointment to a three year term expiring March 31, 2017.

Robert McConnell is recommended for reappointment to a three year term expiring March 31, 2017.

**Zoning & Sign Board of Appeals**

Sue Parr is recommended for reappointment to a three year term expiring March 31, 2017.

**Parks, Recreation and Cemeteries Commission**

Carmen Turner is recommended for appointment to a three year term expiring

March 31, 2017.

Barbara Thorburn is recommended for reappointment to a three year term expiring March 31, 2017.

Mary Kwas is recommended for appointment to a three year term expiring March 31, 2017.

TREASURER PIZZO SUPPORTED THE MOTION.

THE MOTION PASSED 7-0.

**14. Recommendation to Approve a Two-Year Lease Agreement for Grand Woods Park with the City of Lansing.**

The manager's Office recommends that the Township Board approve a two-year lease extension for Grand Woods Park with the City of Lansing.

TRUSTEE HICKS MOVED TO ADOPT THE EXTENSION OF THE LEASE AGREEMENT OF GRAND WOODS PARK, ORIGINALLY SIGNED FEBRUARY 21, 1984 FOR AN ADDITIONAL TWO YEAR TERM FOR THE COST OF THE TOWNSHIP OBTAINING AN APPRAISAL OF THE PARCEL.

**Whereas**, the City of Lansing and Delta Township desire at this time to further extend and amend the Original Lease as set forth herein; and

**Whereas**, it is therefore mutually agreed that the Original Lease shall be further extended and amended.

**Now Therefore**, in consideration of the mutual covenants contained herein and other good and valuable consideration, the City of Lansing and Delta Township covenant and agree as follows:

1. The City of Lansing and Delta Township hereby agree to extend the Original Lease for a further term of two years. The Lease dated February 21, 1984 shall be extended through February 21, 2016.
2. Delta Township agrees to pay for an appraisal of the leased Premises. The appraisal shall be completed and provided to the City by February 21, 2015. The appraisal shall also conform to the Uniform Appraisal Standards for Federal Land Acquisitions.

**Further**, all other terms and conditions of the Original Lease, dated February 21, 1984, along with any Amendments between the City of Lansing and Delta Township shall remain in full force and effect and are made a part of this Agreement."



TRUSTEE MOJICA SUPPORTED THE MOTION.

THE MOTION PASSED 7-0.

**15. Introduction of Art Baryames (for Baryames Development, LLC) Rezoning Request, Case No. 2-14-04.**

The Community Development Department, Planning Division, recommends the Township Board introduce the Baryames request to rezone the property described in Case No. 2-14-04.

TREASURER PIZZO MOVED THAT THE DELTA TOWNSHIP BOARD INTRODUCE THE BARYAMES REQUEST TO REZONE THE PROPERTY DESCRIBED IN CASE NO. 2-14-04 FROM O, OFFICE, TO B2, COMMUNITY COMMERCIAL. I FURTHER MOVE THAT THE REZONING REQUEST SHALL BE CONSIDERED FOR FINAL ACTION BY THE TOWNSHIP BOARD AT THE APRIL 21, 2013 REGULAR MEETING. THE CLERK IS HEREBY DIRECTED TO PUBLISH NOTICE OF SAID MEETING IN THE LOCAL NEWSPAPERS AS IS REQUIRED.

TRUSTEE MOJICA SUPPORTED THE MOTION.

THE MOTION PASSED 7-0.

**16. Set Public Hearing to Consider Request for a New Class C Resort Liquor License**

The Manager's Office recommends that the Township Board set a public hearing to consider a New Class C Resort Liquor License request by Regal Cinemas, Inc.

TRUSTEE FEDEWA MOVED THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF DELTA SET A PUBLIC HEARING FOR APRIL 21, 2014, TO CONSIDER A RESOLUTION APPROVING THE REQUEST BY REGAL CINEMAS, INC. FOR THE NEW CLASS C RESORT LIQUOR LICENSE TO BE LOCATED AT 5330 WEST SAGINAW HIGHWAY, LANSING, MI 48917, DELTA TOWNSHIP, EATON COUNTY; AND FURTHER THAT THE TOWNSHIP CLERK SHALL ADVERTISE SAID PUBLIC HEARING.

TRUSTEE HICKS SUPPORTED THE MOTION.

THE MOTION PASSED 7-0.

**XV. MANAGER'S REPORT**

**17. 2014 Outlook of Goals and Objectives, Richard Watkins.**

- Manager Watkins stated that negotiations with the Firefighters is anticipated to begin at the end of April.

Manager Watkins gave the following presentation:

## **I. ECONOMIC DEVELOPMENT**

### **OBJECTIVES:**

1. To improve the appearance and encourage redevelopment of the Saginaw Highway Corridor – 1 Year
2. To improve the mix of businesses by attracting quality businesses – 3 Year
3. To improve the exterior facades of commercial buildings – 1 Year
4. To reduce vacancy rates – 3 Year
5. To continue to maintain Broadbent Road as the west commercial boundary – 1 Year On-going
6. To further improve traffic flow and safety – 5 Year
7. To continue to maintain an attractive industrial area, which provides a solid tax base and employment opportunities – 5 Year

### **2014 OUTLOOK:**

1. Currently reviewing proposals that we received from 4 consultants to review and rewrite our Zoning Ordinance. Our recommendation will be forthcoming in the near future.
2. Ed continues to update the sales force database – adding 39 new businesses in 2013.
3. We continue to place high priority on retention visits.
4. New “I Am Delta” banners will be installed this spring along Saginaw Highway and replacing all of the current banners in Township parking lots.
5. Ed and Jen have been working together to explore ideas for our current welcome sign, as well as potential placement of a new sign. They will be presenting some options in the next month or so.
6. We have applied for an Art Grant from LEAP, and should receive notification by March 20th. This grant will allow us to erect a public display of art on our property on the corner of Saginaw and Canal.
7. We will be recommending a consultant to work with us to review our Sign Ordinance.

## **II. COMMUNITY - IDENTITY/INVOLVEMENT**

**OBJECTIVES:**

1. To take a proactive approach regarding property maintenance code compliance and enforcement – 1 Year
2. To encourage owner-occupied housing in single family neighborhoods – 3 Year
3. To continue to expand multi-modal transportation opportunities – 3 Year
4. To continue to encourage and maintain the character of residential neighborhoods – 1 Year

**2014 OUTLOOK:**

1. Purchased three speed signs to slow traffic, we will continue these efforts through 2014 and focus on the areas of concern.
2. The 2014 Budget includes \$125k for new sidewalks and pathways.
3. We will be implementing a more pro-active approach with our code enforcement program by Spring.
4. We will continue to work closely with Tri-County on the Regional Prosperity Grant Project, which will move our region in the right direction with regional transportation efforts.
5. We are applying for several grants through DNR, which, if granted, will allow us to build an additional pathway that would connect our community center to Hunter's Orchard Park and Delta Mills Park.
6. Staff will be proposing addition of new regulations for the Tent Displays.

**DRAFT**

**III. GOOD GOVERNANCE**

**OBJECTIVES:**

1. To continue efforts to effectively communicate with our residents through various modes (website, social media, publications) – 1 Year
2. To improve ways to disseminate Delta Township's story (yearend report in calendar form, dashboard, etc.) – 3 Year
3. To continue to expand and improve customer service and transparency – 1 Year, On-going
4. To explore improvements to the delivery of county services available to Delta Township residents – 3 Year, On-going
5. To continue to participate in efforts to promote regionalism and explore collaborative solutions to better serve our residents – 3 Year, On-going
6. To convey a commitment to consider environmental impacts of all Township activities – 5 Year, On-going
7. To improve communication with Eaton County to enhance services to the residents – 1 Year

8. To continue to be aware of economic trends and react appropriately – 5 Year
9. To ensure a collaborative government structure and staff skills, which will provide for fiscal integrity, efficiency, and excellent services for our residents – 3 Year
10. To continue sound fiscal policies – 1 Year, On-going

**2014 OUTLOOK:**

1. Staff is working with the City of Grand Ledge to explore ways that we can assist with their Parks and Recreation programs.
2. Staff and Board continue to attend ground-breakings, grand openings, and similar events of new Township businesses.
3. The website has been greatly improved, it appears to be a lot more user friendly.
4. We have established an online citizen inquiry form, in which the citizens have been using quite a bit.
5. Due to the amount of debris the ice storm left behind, we opened a debris drop-off site for over a month and have extended it an extra weekend in March.
6. We are working with Kelly Rossman-Truscott to develop an emergency communications plan to assist us in better communication with the public during emergency situations.
7. Continued discussions with Eaton County and the Prosecutor's Office to explore different options for delivery of services to Delta Township residents.
8. Held 2014 Employee Retreat on February 17th.
9. Continue our great working relationship with the Eaton County Sheriff Department to enhance and improve Public Safety.

**IV. IDENTITY & BRANDING**

**OBJECTIVES:**

1. To develop effective ways to brand Delta Township – 1 Year
2. To create a sense of identity for Delta Township – 3 Year

**2014 OUTLOOK:**

1. Kick off of "I AM DELTA" campaign at the Community Awards.
2. Banners will be installed along Saginaw Highway
3. Existing Welcome Sign will be getting a "facelift" and staff will be working on a new Welcome sign and location for an Art piece.
4. Staff continues to have a strong presence in the Delta Side Business Association chairing the annual Expo and attending monthly meetings.

## V. PARKS AND PATHS

### OBJECTIVES:

1. To continue implementation of the Parks Master Plan – 3 Year
2. To prioritize funding for implementing projects in the non-motorized transportation plan – 3 Year
3. To continue to support community events that attract families to the Township's recreational facilities –1 Year, On-going

### 2014 OUTLOOK:

1. Provide Township Board with annual plan of implementation of the Non-Motorized Plan.
2. Hire a consultant to determine opportunities for park development for Mt. Hope land – 2nd quarter.
3. Continue to explore opportunities for Grand Woods Park with the City of Lansing.
4. Continue to educate and create awareness of new smoke free policy.
5. Negotiate with Waverly School Board for additional space to add family changing facility to the pool area.
6. Continue discussions with St. Savio Lutheran Church to add programming space.
7. Research and develop plan for connection from Delta Mills to Hunter's Orchard and Delta Mills to Hawk Meadows.
8. Expand trail extensions and waterfront access at Hunter's Orchard.

## VI. INFRASTRUCTURE

### OBJECTIVES:

1. To continue to support the delivery of excellent public safety services – 1 Year
2. To explore and expand public transportation options and promote their use – 3 Year
3. To continue to communicate with the Eaton County Road Commission to collaboratively identify road projects – 5 Year
4. To continue to monitor current and future demands for water and sanitary sewer – On-going
5. To continue to use the Township's CIP process for infrastructure planning – On-going

### OBJECTIVES:

1. To continue to support the delivery of excellent public safety services – 1 Year
2. To explore and expand public transportation options and promote

- their use – 3 Year
3. To continue to communicate with the Eaton County Road Commission to collaboratively identify road projects – 5 Year
  4. To continue to monitor current and future demands for water and sanitary sewer – On-going
  5. To continue to use the Township's CIP process for infrastructure planning – On-going

## **XVI. COMMITTEE OF THE WHOLE**

### **18. Vending Ordinance Discussion, Mark Graham**

Community Development Director Mark Graham stated that in February 10, 2014 the Township Board discussed whether vendors on Township properties should be required to obtain a vending license. The primary focus was of past vendors at the Delta rocks event who hadn't been required to obtain a vending license. On October 3, 2013 the Parks, Recreation & Cemeteries Commission passed a resolution recommending that vending licenses not be required.

At the February 10th meeting the Board tabled further consideration regarding vending licenses on Township properties and asked staff to research the regulations of other communities. Please find attached my review of the Vending Regulations for the cities of Lansing, East Lansing and Kentwood and the Townships of Meridian and Delhi. I sent the reviews to the Clerks of each municipality, except Kentwood, requesting that they review my information to insure its accuracy. I never received a response from the City of Lansing.

Director Graham provided each community response and asked the Manager's Office to place the issue of Vending on Township Properties on a future Board agenda for further discussion.

### **19. Tent Display Ordinance Discussion, Chris Gruba**

Township Planner Chris Gruba gave a brief chronology of events as follows:

- May 13, 2013  
Mark Graham authored a memo to Manager Watkins regarding tent displays.
- May 20, 2013  
The Township Board briefly discussed tent displays on commercial properties. The general consensus was that this issue should be placed on a future Board agenda for further discussion.



- August 12, 2013  
A list of “Future Committee of the Whole Topics” was identified which included tents.
- November 13, 2013  
Mark Graham authored a memo to Manager Watkins regarding tent displays. The memo noted the Fire Code regulations pertaining to tents, provided pros & cons of regulating tents, and included a chart depicting tent regulations in other municipalities.
- December 2, 2013  
The Township Board adopted amendments to the International Fire Code. The amendments included a reduction in the period a tent may be erected from 180 days to three periods not to exceed thirty days, being a total of 90 days, in a calendar year.
- December 9, 2013  
Mark Graham reviewed his November 13, 2013 memo with the Township Board at a Committee of the Whole meeting. Staff was directed to proceed to initiate amendments to the Code of Ordinances pertaining to tent displays. The general consensus of the Board was to limit tent displays to 45 days, although the Fire Code had recently been amended to permit 90 day displays.

**DRAFT**

Planner Gruba stated that in developing a draft Ordinance a survey was administered of Lansing, Grand Haven, Delhi Township and Lansing Township who all regulate tent displays. A summary of the proposed draft is below:

- Tent regulations will only pertain to commercial, office and industrially-zoned properties (B1, B2, O, I1 & I2).
- Tent displays shall be limited to a 9-day period, up to 5 periods per year (45 days/year). Permits may be issued back-to-back.
- A tent permit shall be required for any size tent, but tents 200 square feet and over will also require an inspection by the Fire Department.
- Only 1 tent allowed per event per property. Property shall be defined as a single parcel or multiple parcels that abut each other under the same ownership.
- Tents may be erected in parking areas, but shall not affect the minimum parking requirements.
- Tents may not be erected in a road right-of-way, over sidewalks, over barrier free parking spaces or in fire lanes.
- Signs attached to tent displays must comply with the regulations of the Sign Ordinance.
- Tents that sell food grown on the premises are exempt.
- Schools, churches and government agencies are exempt.

Planner Gruba outlined the pros and cons of a tent ordinance, noted that it has not been reviewed by counsel and that fees are also another matter to be discussed. Planner Gruba stated the next action would be to place on a future Committee of the Whole agenda for general discussion. Then if the Board finds the ordinance palatable, it will be placed on a future Board Meeting agenda for introduction. Planner Gruba also stated the Planning Division would need to place notices in the newspaper displaying the proposed ordinance.

**XVII. PUBLIC COMMENTS** – Jim Schweitzer who lives at 11351 Nixon Rd., Grand Ledge spoke

**XVIII. ADJOURNMENT**

Supervisor Fletcher adjourned the meeting at 7:36 p.m.

**DRAFT**  
CHARTER TOWNSHIP OF DELTA  
KENNETH FLETCHER, SUPERVISOR

MARY CLARK, CLERK

/kit  
M:\Regular Board Meeting\BD\MIN\March 17, 2014  
Minutes Approved:

**CHARTER TOWNSHIP OF DELTA**  
Public Meeting Room B  
Delta Township Administration Building  
7710 West Saginaw Highway  
Lansing MI 48917

**TOWNSHIP BOARD COMMITTEE OF THE WHOLE MINUTES**  
**MONDAY, APRIL 14, 2014**

**I. CALL TO ORDER –**

Supervisor Fletcher called the meeting to order at 6:00 p.m.

**II. ROLL CALL –**

Members Present: Trustees Karen Mojica, R. Douglas Kosinski, Jeff Hicks and Dennis Fedewa, Treasurer Howard Pizzo, Clerk Mary R. Clark, and Supervisor Kenneth Fletcher.

Members Absent:

Others Present: Township Manager Richard Watkins, Deputy Manager Jenny Roberts, Finance Director Jeff Anderson, Community Development Director Mark Graham, Assistant Community Development Director Gary Bozek and Planner Chris Gruba.

**III. SET/ADJUST AGENDA –**

TRUSTEE FEDEWA MOVED TO ADOPT THE AGENDA AS PRESENTED.

TREASURER PIZZO SUPPORTED THE MOTION.

THE MOTION PASSED 7-0

**IV. PUBLIC COMMENT –** Eric and Rachel Rosendale who live at 4625 Arden Road spoke regarding the proposed sidewalk placement through their yard. Mr. Rosendale stated that as it is staked now, it eliminates a good portion of their driveway and there is a concern over adequate parking space for visitors and not getting ticketed.

Community Development Director Graham explained that the sidewalk is staked 33 feet from the center of the road to allow for a six foot sidewalk which is required by the Eaton County Road Commission to be ten feet away from the road. However, Director Graham stated that they would meet with the property owners to go over the plan and what if anything can be changed.

**V. MANAGER'S REPORT –**

- Manager Watkins stated that at the Eaton County Road Commission meeting there was more discussion regarding the millage proposal related to fixing

roads within Eaton County. The proposed millage is 1 ½ mills over ten years and the ECRC is bringing this to their next meeting on May 13, 2014 for consideration. Manager Watkins stated that there is information that he will distribute and requests after having reviewed it – if there are questions or concerns to get them to him prior to the ECRC meeting on May 13, 2014. Manager Watkins further stated that the millage proposal would be used to fix all Eaton County roads that are rated poor over the ten year period and 90% of Delta Township roads would be redone. Comparatively, 100% of all roads in every Township except four are rated poor – with Delta Township being one.

Clerk Clark asked Manager Watkins to share information regarding the State of Michigan gas tax and registration fees that come back to Eaton County that only 25% of those dollars can be used to fix local roads which account for 90% of Eaton County roads.

Treasurer Pizzo stated that Blair of the Eaton County Road Commission has voiced interest in attending a Transportation Committee meeting and would be willing to hold that meeting prior to the ECRC meeting.

Trustee Kosinski stated that he would be fine meeting at an earlier date and mentioned the current discussions in the legislature regarding increased funding for roads. Manager Watkins stated that the concern regarding that would be that the increase would all be appropriated toward the major roads in the State and not the local roads.

Supervisor Fletcher stated that his concern with the proposal is that the funds included in the millage would not equate to faster plow times in the winter.

Clerk Clark stated that there has been an increase in calls regarding pot holes, Manager Watkins stated that there would likely be more. Clerk Clark suggested that perhaps the issue can be taken up with the Transportation Committee for a recommendation to change the proposal to 2 mills to incorporate snow removal.

Manager Watkins stated that the crux of the issue is Public Act 51 passed in 1951 which dictates the method of distribution of gas tax funds to the local units of government and that Delta Township is the only urbanized area in Eaton County compared to Ingham County, who has urban population in adjacent cities such as Lansing and East Lansing. Ingham County maintains about the same amount of roads as Eaton and gets triple the money. Manager Watkins stated that the way funds are distributed needs to be revised.

Clerk Clark stated that as an example of how expensive snow plowing is, the additional revenue the legislature put out from the overage of the current fiscal year and was divided amongst all of the counties – of which Eaton County received over \$475,000. Clerk Clark noted that even with that amount, it was still short of the additional snow plowing budget and was about \$25,000 short.

Clerk Clark stated that residents of Delta Township want the services of a city and in order to provide that, there must be the tax base of a city. Clerk Clark notes that perhaps there needs to be a conversation explaining the funding of differences of cities vs townships and how it works – that when she has explained it to residents and they understand it, they are satisfied.

- Manager Watkins stated that East Lansing nominated Delta Township for an award from the MML (Michigan Municipal League), including the other 5 communities that banded together for the Fire Study comprising Region 2. There were six other regions competing.
- Manager Watkins stated that Courtland Consulting gave the Township about 500 key cards to distribute the Township Welcome Packet. Courtland Consulting printed them up for Delta Township and included their company name on the reverse side. Manager Watkins stated that they are large enough to fit quite a bit of data and what might be included on them is being discussed.
- Manager Watkins stated that a decision has been made about where to purchase the banners and brackets for them and if they haven't already been ordered, will be shortly.
- Manager Watkins stated that there is a proposal to redo the Welcome sign on the East side of the Township to make it more visible and eye catching. Discussion ensued regarding landscaping and digital signage. Currently the proposal is only for sprucing up the current sign.

## **VI. ITEMS OF DISCUSSION –**

### **1. Zoning Ordinance Update/Consultant Selection, Gary Bozek**

Assistant Community Development Director Bozek stated that a proposal was requested of 6 well known consultant companies and 4 responses were received and reviewed. Two of those firms were interviewed and after the interviews, staff and Manager Watkins met and discussed both, with the recommendation of Carlisle/Wortman Associates, Inc.

Selection was made based on a few items – among them is company size, their product is tailored to the local community, ordinances that can be used on lots, experience on staff. A project manager was interviewed who asked a lot of questions regarding the Township.

Trustee Kosinski commented on the flexibility shown in their proposal and their recognition of unique requirements of communities.

Treasurer Pizzo asked whether this bid was the highest and Assistant Community Development Director Bozek stated that it was in the middle. Treasurer Pizzo asked whether the hours included in the proposal were enough, and Assistant Director Bozek stated that if more meetings were requested, there would more costs.

Treasurer Pizzo asked how the Board would be kept apprised of major changes to the cost of the contract. Township Manager Watkins stated that prior to the proposal being written, concerns regarding the Saginaw Corridor were emphasized. Manager Watkins stated that he suggested to Carlisle/Wortman Associates, Inc. meeting with the Board to have a dialogue prior to beginning the process – which was met receptively and could be included as one of the meetings in the proposal. Manager Watkins stated that he has found them to be flexible regarding the proposal and that there is an item within the proposal that the Township will not be doing and feels that the project can be completed at the current bid even adding some meetings to the plan.

Treasurer Pizzo asked whether this company was handling the Sign Ordinance revisions and Manager Watkins stated that project is completely separate and will be handled later after proposals are received.

Trustee Hicks stated that he concurs with Trustee Kosinski and Treasurer Pizzo and believes that the selected company is a progressive and in depth company.

Manager Watkins recalled a concern prior to beginning the process is ending up with a readable zoning ordinance on the Township website and stated the other company that was interviewed had a better product in that regard, however what the selected company is bringing to the table was more in line with what the Township identified it wanted.

Trustee Fedewa stated that the Center for Urban Planning at MSU will be sponsoring training sessions for staff, the Township Board, Planning Commission. Assistant Community Development Director Bozek stated as a requirement for receiving this training from MSU, the Township needed to invite local officials, County Commissioners, and surrounding community representatives, the training is scheduled for May 8 and May 29, 2014. Assistant Director Bozek stated the first session is on place-making and the second session is how to implement the strategy.

## **2. 2013 Financial Review, Jeff Anderson**

Finance Director Anderson stated that he will be presenting an overview of the annual audit and it will be presented at the next Board meeting formally.

Beginning with the General Fund, Finance Director Anderson stated that 2013 was a good year. Expenditures were almost exactly as budgeted. Revenues were at \$16.5 million which is an increase of nearly 4.5% increase – resulting in a surplus of slightly over \$800,000 at the end of the year.

Finance Director Anderson stated that expenditures in 2013 were 1% above 2012 which was budgeted for, otherwise were very consistent with 2012.

Finance Director Anderson stated that property tax revenues show that the negative impact of the Recession has stopped and showing slight increases.

Finance Director Anderson stating that Building Permit fees exceeded the expected revenue budgeted of \$300,000 – bringing in over \$900,000 which is as high as it has been since 2006.

Revenues were up in Ambulance fees as runs were up and the Township is doing a good job of managing man hours and collecting fees.

Finance Director Anderson stated that the Township actually recorded negative interest for 2013 and explained that the Township manages \$40-50 million in any given month, half of which is in a Bond portfolio. Director Anderson stated that the 10 year treasury at the end of 2012 was just over 2%, in 2013 it was at 3%. Director Anderson stated that Bonds and prices have an inverse relationship – as interest goes up – face value/prices of bonds go down. The Governmental Accounting Standards Board (GABS) requires the Township to book its investment portfolio to market as if the investments were to be sold on December 31, 2013. If the Township were to actually sell those investments – the Township would realize an actual loss which is what the negative \$107,648 reflects. Director Anderson stated that it is to him a paper loss further stating the Township would never experience that loss because the Township would not sell bonds before their maturity because the Township does not have a cash flow problem.

Clerk Clark clarified that the statement is actually a reflection of how the Township has to record the figures as well as the rates.

Director Anderson next addressed the General Fund Balance as shown below and stated the first line of inventory which is blank because there was no inventory carried over. The prepaid line item is what that the Township is



required to keep in reserve. Director Anderson stated the Budget Stabilization line is a requirement of the State of Michigan.

Director Anderson stated that the Assigned category – which are monies that he and Township Manager Watkins have been authorized to assign to help achieve the goals of the Township. Director Anderson stated that this has been achieved in a couple of different ways – stating there was over \$800,000 to divide up and that was done in 3 main areas: Roads which had \$300,000 assigned, Retiree Health Insurance had \$100,000 added, and Capital Improvements which had \$300,000 added which could be used in Parks.

GF FUND BALANCE		
<b>FUND BALANCE:</b>	<b>2013</b>	<b>2012</b>
<b>Nonspendable:</b>		
Inventory		90,000
Prepaid items	59,960	48,482
<b>Restricted:</b>		
Budget stabilization	450,000	450,000
<b>Assigned:</b>		
Compensated absences	914,455	803,095
Roads	1,000,000	700,000
Retiree health insurance	2,100,000	2,000,000
Non-motorized transportation	500,000	500,000
Capital improvements	1,600,000	1,300,000
County drains	200,000	200,000
Unassigned	8,241,758	8,161,530
<b>TOTAL FUND BALANCE</b>	<b>\$15,566,173</b>	<b>\$14,753,107</b>

The balance was put into the Unassigned category.

Director Anderson stated that the Sewer Fund had a 2.2% increase instituted in June 2013. Director Anderson stated with the exception of 25% of the Carrier Creek drain assessment there is no debt in the Sewer Fund.

Finance Director Anderson next presented the Water Fund stating that sales saw a decrease compared to 2012 – however pointed out that 2012 was one of the driest ever. Director Anderson pointed out there as an increase in Main,

Capital & Other Charges which is directly related to new homes and businesses. Director Anderson stated that the Township paid off nearly \$3.1 million in debt in the Water fund which actually leaves a positive cash position of almost \$100,000. Director Anderson stated that the reserve was used to pay off the debt in the Water fund and the Township will be monitoring the rate structure to ensure recoupment of funds to pay off future debt. Director Anderson noted that the Supplies line being down from 2012 is due to buying less water from the BWL. Director Anderson also stated that for every dollar billed for water, 65% is paid to the BWL, further stating the rate from BWL 7 years prior was 30%.

Next Finance Director Anderson addressed the Paramedic Fund, stating that the Paramedic Millage is levied in this fund and the expenses are accounted for in the General Fund – meaning the tax revenue comes and is transferred into the General Fund – which takes the expenses of the Ambulance fee, less money collected per run and the difference comes from the Paramedic fund. The Paramedic fund is slightly less due to buying an Ambulance.

Finance Director Anderson next addressed the Capital Fund which is essentially the Township saving account that major purchases are funded from such as fire trucks, election equipment, parks vehicles etc. Director Anderson stated that the fund balance will end out at approximately \$1.5 million. Manager Watkins stated that this fund helps the Township flatten out its costs for instance instead of paying \$250,000 in one year, dollars are accumulated and paid over time.

Finance Director Anderson next addressed the Other Post Employment Benefit Fund (OPEB) stating that at the end of 2013, \$525,000 was put away during the year and sent to the Trust. At the end of FY 2013 almost \$8.2 million in the Fund with a total liability of \$13 million – meaning the Township is currently 62% funded. Finance Director Anderson stated that Manager Watkins and he have discussed that perhaps the Township should consider transferring the \$2.1 million in the Retiree Health Insurance line item of the General fund. Director Anderson stated that the General Fund balance is healthy, there is nearly 100% of expenditures in reserves and that he and Manager Watkins would suggest transferring the line item which in turn would make the OPEB 80% funded.

Manager Watkins stated the surplus has accumulated over time, however have been unsure of the economic trend since 2008. Manager Watkins further stated that once the money is transferred into the OPEB it cannot be transferred out. Manager Watkins stated that the current upward trend of the economy comparing the status of the Township today versus in 2008, both he and Finance Director Anderson feel that it may be time to transfer that money into OPEB. Treasurer Pizzo stated that although the fund is at 62% it does need to be at 100%.

Finance Director Anderson stated that the money can be pulled out to pay Retiree Health Care premiums which are currently paid through Operations,

however should the OPEB become 100% funded, it would reduce the amount of money that needs to be transferred annually, and it could also be used to pay the annual cost of the Retiree Health Insurance premiums which is ultimately its purpose.

**3. Storm Debris Collection, Richard Watkins**

Township Manager Watkins provided a history of the storm debris collection beginning with the Township opening the Players Club shortly after the storm for residents to bring their debris to. The site was closed after about 3 weeks due to the weather and the debris was chipped up. The site was reopened for a weekend and after assessing what was still on the ground, the decision was made to open Players Club for another month.

Township Manager Watkins stated that in the meantime many other communities have decided to provide curbside pickup, which he believes resulted from the State of Michigan making funds available for storm damage cleanup to the communities. Township Manager Watkins states that the Township is eligible for those funds and needs to apply for them.

Township Manager Watkins states that while the Township collected an enormous amount of debris the first opening of the Players Club, other communities have yet to start. Township Manager Watkins stated that those communities believe they can complete the cleanup in 6 weeks and is skeptical of that time frame.

Township Manager Watkins stated that overall residents have been accepting of the current no curbside service, there have been many calls inquiring whether the Township will be providing curbside. Township Manager Watkins stated that most residents have been appreciative of the current service offered.

Township Manager Watkins surveyed the Township using GIS to determine what is still left to be cleaned up. Some areas could not be seen if the brush was somewhere in the back of the home. Township Manager Watkins stated that he counted around 230 properties with brush by the road, or all over their property.

Treasurer Pizzo noted that he has noticed many trees with big limbs damaged and stuck in trees, further noting that at this point he surmises that what is left is the result of residents who cannot remove the debris themselves.

Discussion ensued regarding the pros and cons of implementing curbside now. Clerk Clark pointed out the highest concentration of homes that haven't done cleanup is situated between Michigan and Saginaw, East of Snow which probably house many older residents and certainly have older, larger trees.

Manager Watkins suggested that perhaps the route is to wait a couple of weeks and re-evaluate the current list with an updated list and go from there.

Clerk Clark asked what the repercussion is to the homeowner if they have collected the materials and don't remove it – whether that comes into play similar to the Weed Ordinance as in the Township picks it up and bills the homeowner. Clerk Clark also noted that if the property is a rental, is the cleanup the responsibility of the landlord?

Supervisor Fletcher stated that perhaps toward the end of the collection period, and there remain those last few properties that haven't cleaned up, perhaps the Township does pick up that debris.

Clerk Clark estimated that between the Accounting Department counter inquiries, direct calls to the Manager's Office, and Clerk's Office approximately 50-70 calls are being fielded daily. Previously the Clerk's office was fielding the calls, however if curbside is asked about the caller is transferred to the Manager's office.

Treasurer Pizzo stated that he supports re-evaluating the remaining debris closer to the close date of the collection site, however believes the property owner who has trees is responsible for maintaining healthy trees to minimize damage in storms.

Discussion ensued regarding the huge amount of debris at the collection site and the fact that there is more than the first collection date, compared to the amount remaining to be cleaned up which amounts to 2%, with 98% of the storm debris being cleaned up. The Board felt that the community really came together to get the Township cleaned up and should be commended.

Clerk Clark noted that the Township should be prepared to handle more yard waste than usual during the free days in May at the Recycling Center because many people have taken those dates. Discussion ensued regarding the location of the yard collection during the free dates, which will be determined. Manager Watkins stated that currently the chipper cannot come to remove the debris due to the frost load limits.

It was the consensus of the Board to re-evaluate what debris remains toward the end of the open period of the collection site.

Trustee Hicks asked if the rule regarding mulch at gas stations could be checked on, Manager Watkins stated he would check on that.

## **VII. ADJOURNMENT**

Supervisor Fletcher adjourned the meeting at 7:53 p.m.

CHARTER TOWNSHIP OF DELTA

MARY R. CLARK, CLERK

KENNETH FLETCHER, SUPERVISOR

\kt  
Board Materials\Board Meetings\Minutes\April 14, 2014 Committee of the Whole  
Minutes Approved:



**TO:** Township Board  
Delta Charter Township

**FROM:** Gary Bozek, Assistant Director  
Community Development Department

**DATE:** April 11, 2014

**SUBJECT:** Acceptance of D& K Truck Utility Agreement

D&K Truck Company is proposing to construct a 38, 556 square foot semi-truck sales and repair facility on approximately 15.87 acres located at 3020 Snow Road. The subject parcel is identified on the Delta Township tax roll as Parcel No. 23-040-026-400-150-00. The parcel is on the southwest corner of the Lansing Road/Snow Road intersection. It was formerly the site of the Starlite Drive-In Theater, which closed in 1984. A Special Land Use Permit for truck sales & repair operation was granted by the Township Board on December 2, 2013.

Attached please find an executed Municipal Utility Agreement for the extension of public water mains to serve the proposed development signed by the appropriate representative of D&K Truck Company. The document follows the standard form that has been drafted and is currently use by the Township Engineering Division.

The following motion is offered for the Board's consideration:

"I move that the Township Board approve the Municipal Utility Agreement submitted by D&K Truck Company for the extension of water mains to serve their proposed facility on the property located at 3020 Snow Road, being identified as Parcel No. 23-040-026-400-150-00 on the Delta Township tax roll, in Section 26 of Delta Township. I further move that the Township Supervisor and Clerk be authorized and directed to sign the agreement on behalf of the Township"

Please contact me if you have any questions.

/gb

Attachment

\\COSMO\ENGINEERING\PRIVATE DEVELOPMENT\D & K TRUCK COMPANY\D&K TRUCK UTILITY AGREEMENT BOARD ACCEPTANCE MEMO.DOC

**MUNICIPAL UTILITY AGREEMENT  
WATERMAIN FACILITIES**

**D&K TRUCK COMPANY (SECTION 26)**

**THIS AGREEMENT**, made this \_\_\_\_\_ day of \_\_\_\_\_, 2014, by and between **D&K Truck Company**, a Michigan Company, whose address is 319 East North Street, Lansing, Michigan 48906, hereinafter referred to as “Developer” and the **CHARTER TOWNSHIP OF DELTA**, a Michigan Municipal Corporation, whose address is 7710 West Saginaw Highway, Lansing, Michigan 48917, hereinafter referred to as “Delta”.

**WITNESSETH:**

**WHEREAS**, Developer is desirous of extending the municipal water main facilities to serve its proposed development in accordance with Chapter 40 of the Township’s Code of Ordinances, as amended, and

**WHEREAS**, the parties hereto intend by this Agreement to aid in the administration of the extension of the municipal water main facilities for the proposed development:

**NOW, THEREFORE, IT IS HEREBY AGREED** by and between the parties heretofore and in consideration of the foregoing and the mutual promises hereinafter contained as follows:

1. This Agreement concerns the development of the property located at 3020 Snow Road, which is identified as Parcel No. 23-040-026-400-150-00 on the Delta Township tax roll, and legally described on Sheet 1 of 13 of the approved Site Plan and Construction Plan drawings for the D&K Truck Company Facility. Said Sheets 1 through 13, dated \_\_\_\_\_, 2014, as prepared by KEBS, Inc. and sealed by \_\_\_\_\_, P.E., a registered professional engineer licensed in the State of Michigan, shall serve as the drawings of record as to the water main facilities to be built and which may be revised to incorporate changes in the development of the site plan and any new phases thereof, subject to prior written approval of the Township Engineer and the revising of the site plan drawings. Issuances of water permits for connecting individual buildings to the Water Main Facilities are subject to satisfactory completion of the Water Main Facilities as set forth in Section 8 of this Agreement.

2. Developer shall arrange for the procurement of the necessary materials, labor and equipment to cause the construction of the Water Main Facilities on private and public properties. Delta facilities, upon completion, shall be owned by Delta, in a manner consistent with this Agreement, the plans and specifications and all applicable statutes, ordinances and rules and regulations. Developer shall pay all costs of installation and construction of the Water Main Facilities including the Delta Facilities to be owned by Delta upon completion thereof. Developer shall pay all charges incurred by Delta for



engineering services as later herein delineated. Developer shall be responsible for contractors retained to perform the work, and shall condition final payments to said contractors upon certification of the completed work by the Township Engineer. Safety in the construction of the Water Main Facilities shall be the sole responsibility of the Developer and his contractors. The contractors shall comply with the current applicable requirements of Federal and State of Michigan Occupational Health and Safety regulations during construction of the Water Main Facilities.

3. That the parties agree the facilities indicated herein to be built may be phased or staged. Developer agrees that it will supply Delta with construction plans and specifications for any current phase of the work covered by this Agreement, which plans shall be prepared by a Registered Professional Engineer, licensed to practice in the State of Michigan, to show the proposed utility facilities to become the property of Delta. The plans and specifications shall be consistent with the **DELTA MUNICIPAL UTILITY STANDARDS**. All construction plans and specifications in connection therewith shall be subject to approval by the Township Engineer. The Township Engineer shall forward all such plans for approval of the appropriate State agency and the issuance of the necessary permits. When a permit is granted by the appropriate State agency, same shall constitute approval by said agency and the Township Engineer. Developer shall furnish Delta a reproducible copy of the plans and specifications for use of the Township Engineer during construction.

4. That the parties agree a commitment is hereby made on the part of the Developer to build Water Main Facilities herein indicated within two years of the issuance of the State permits, and on the part of Delta, to own, operate and maintain the Delta Facilities. The sewer stubs, the building sewer main to the building, and the water leads from the Township-owned water main to the building, which is the Developer's facility, shall be maintained by the owners of the buildings which are connected.

5. That all resident engineering, layout staking and detailed construction inspection, including compaction of trench backfill material, shall be performed by qualified personnel retained by the Developer. The Township Engineer shall perform the following activities in assessing general compliance with the requirements of Delta's **MUNICIPAL UTILITY STANDARDS**.

#### **WATER FACILITIES:**

Spot check materials and general construction methods and procedures.

Observe all connections to existing mains.

Coordinate shut down of existing customers as situation dictates.

Operate existing valves when procedures dictate.

Observe pressure test, disinfection and thrust restraint devices; draw and deliver water samples to a MDEQ-certified laboratory

Locate, by field measure, spot elevations of top of mains, valves, hydrants, service shut offs in road right-of-way and main after installation of the Water Main Facilities.

Prepare separate as-built drawings for the Water Main Facilities.

Prepare easement grants, as required.

The Township Engineer shall not supervise construction, perform any staking, or necessarily observe all the construction work. Developer shall pay the actual hourly rate of Delta personnel employed to perform engineering service plus time and one-half for overtime and double time for Sunday or Holiday work, plus 70% to cover fringes, transportation, equipment and administrative overhead costs. Above said work by the Township Engineer is estimated to cost \$2,547.57; as much as 20% increase is estimated if part of the work is performed during the period of November through April.

6. That the construction shall not commence until the Township Engineer shall have given written authorization to the Developer. Prior to starting construction work Developer shall have:

- a. caused his contractor to furnish certificates of insurance noting Delta as an additional insured (see General Conditions of the Municipal Utility Standards).
- b. bulkhead the existing sanitary sewer main at a location and in the manner approved by the Township Engineer to preclude storm water getting into the sanitary sewer system.
- c. conducted the pre-construction meeting (See General Specifications of Municipal Utility Standards).
- d. caused his contractor to have obtained proper permits from the Road Commission and the other governmental agencies as may be applicable and to have notified the **MISS DIG** program.

7. It is agreed between the parties that the Township Engineer shall have jurisdiction and control of the water valves in Delta's existing water mains and that any time the Water Main Facilities must be turned on or off in order to facilitate the construction of the Water Main Facilities, same shall be done under the jurisdiction or representatives of the Township Engineer. Water meters shall not be installed until after the Township Engineer has certified the satisfactory completion of the work; however, at the sole discretion of the Township, temporary meters may be installed at the expense of the Developer for water to be used in the construction of a building, said temporary water meter to be installed by Delta's Water Department personnel only after the pressure testing and "safe" water sampling is complete and with the affirmation of the Township Engineer.

If temporary meters are permitted by the Township, the Developer shall be liable for any damage or loss which is incurred due to the Developer's use of the Township water system. The Township Engineer will not draw the "safe" water sample prior to satisfactory completion of that portion of the public water systems serving the same buildable parcels of land.

8. That the Township Engineer shall certify the satisfactory completion of the work provided for hereunder; said certificate shall be filed with the Township Clerk. The following items shall be completed before final certification can be made:

- a. A satisfactory high pressure hydrostatic testing of the Water Main Facilities shall be made.
- b. Receipt of tests of water taken from the Water Main Facilities showing same to have been tested "safe".
- c. Developer shall insure clean-up of construction site within the road right-of-way.
- d. Developer shall deliver a deed of grant from Developer to Delta covering all of the in-ground installation which is to be owned by Delta and constitutes the Delta Facilities.
- e. Waivers of lien on the project shall be filed with the Township Engineer.
- f. Easement grants, suitable for recording, granting to Delta access to the utility mains to be owned by Delta, and constitutes the Delta Facilities, for construction, operation and maintenance purposes, including the right to make future hook-ups or connections to any of said lines shall have been delivered for such mains not constructed in public roadways.

9. That no permits for the use of any utilities shall be either requested or issued until after the Delta Facilities have been certified as satisfactorily complete by the Township Engineer and the proper deeds of grant, waivers of lien and easement agreements for the Delta Facilities are provided to the Township in accordance with the requirements of Paragraph 8 of this Agreement. In the event of a violation of this paragraph, the Township may without notice or liability to the Developer, disconnect the Water Main Facilities and/or take any other action necessary to prevent the flowage of sanitary sewage into the public sewer system and/or the flowage of water into the water main facilities constructed pursuant to this Agreement. The Developer shall pay all costs, including actual attorney's fees, which the Township incurs in enforcing the provisions of this paragraph.

10. It is further agreed by the parties that no building shall be occupied nor an occupancy permit be issued until after an access road shall be completed to assure access by Delta's fire department apparatus and the Township Engineer has certified to the satisfactory completion of the work.

11. Delta agrees that when certification of final approval has been made by the Township Engineer, subject to a final financial accounting, the Board of Delta shall accept the Delta Facilities.

12. That Developer guarantees the materials and workmanship in the Water Main Facilities for a period of not more than two (2) years from the date of partial utilization, but at least one (1) year from the date of final acceptance of the Delta Facilities by the Township Board.

13. Developer shall, upon completion of construction of the Water Main Facilities, certify as to the costs of materials, labor, equipment, engineering and administrative overhead to the Township Engineer so that Delta may capitalize donated assets.

14. Main charges shall be levied on the Water Main Facilities as provided in Chapter 40 of the Township Code of Ordinances.

15. That the Developer shall indemnify and hold harmless, Delta and its agents and employees from and against any and all claims for damage or losses and expenses arising out of or reasonably incidental to construction, installation and/or hook-up operations, irrespective of ownership or control or the specific location of damage or system component involved, except for damage or losses and expenses arising out of Delta and its agents and employees gross negligence or willful misconduct.

16. This Agreement shall expire seven (7) years from the first said date and may be amended or extended at any time upon mutual consent of the parties.

17. Partial Invalidity. If any provision of this Agreement is held by a court of competent jurisdiction to be invalid, void or unenforceable in any manner, the remaining provisions of the Agreement shall nonetheless continue in full force and effect without being impaired or invalidated in any way. In addition, if any provision of this Agreement may be modified by a court of competent jurisdiction such that it may be enforced, then said provision shall be modified and, as modified, shall be fully enforced.

18. Applicable Law. This Agreement, together with the right, duties and obligations hereunder, shall be construed in accordance with the laws of the State of Michigan.

19. Conflict. In the event of a conflict between the terms of this Agreement and the Township Code of Ordinances, the provisions contained in the Township Code of Ordinances shall govern.

20. Entire Agreement. Except as otherwise stated herein, This Agreement contains the entire understanding of the parties hereto with respect to the subject matter contained herein, supersedes all prior agreements, understandings and negotiations; and no parole evidence of prior or contemporaneous agreements, understanding and negotiations shall govern or be used to construe or modify this Agreement. No modification or alteration hereof shall be deemed effective unless in writing and signed by all parties to this Agreement.

21. Code of Ordinances. The Developer shall comply with provisions of the Township Code of Ordinances which are in effect at the time the work is performed under this Agreement, even though there may be changes to these Ordinances after the date that this Agreement is signed by the Developer.

22. Termination. In the event that the Developer breaches any of the terms, covenants or conditions contained in this Agreement, the Township, at its option and after providing written notice thereof to the Developer and Developer's failure to cure the same within twenty (20) calendar days after Developer's receipt thereof, may terminate this Agreement and all of the rights of Developer hereunder shall cease. The Township shall be entitled to all costs, including actual attorneys' fees, which the Township incurs because of the Developer's breach of this Agreement.

23. Time. Time is of the essence to this Agreement and each and all of its provisions.

IN WITNESS WHEREOF, the parties have hereunto set their hand and seal the day and year first above written.

D&K TRUCK COMPANY

Edward D. Bennett  
(Signature)

Edward D. Bennett  
(Printed Name)

Its: D&K Truck Co. President

STATE OF MICHIGAN }  
COUNTY OF INGHAM } ss

On this 7TH day of APRIL, 2014, before me, appeared EDWARD D. BENNETT to me personally known, who being by me duly sworn did say that he/she was the PRESIDENT of D&K Truck Company executed the within instrument and did acknowledge same to be free act and deed of D&K Truck Company.

Susan A. Bredner  
Notary Public Ingham County, Ingham  
My Commission Expires: 3-8-17  
Acting in Eaton County

Kenneth R. Fletcher, Supervisor  
(Per authorization contained in the Board  
Resolution attached as "Exhibit A")

STATE OF MICHIGAN }  
COUNTY OF EATON }ss

Notary Public \_\_\_\_\_ County, \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_

7 of 7  
95/196

**ESTIMATE OF ENGINEERING SERVICES  
CHARTER TOWNSHIP OF DELTA  
EATON COUNTY, MICHIGAN**

PROJECT NAME: D&K Truck Company

LINEAL FEET OF WATER MAIN: 908

LINEAL FEET OF SANITARY SEWER MAIN: 0

NO. OF FIRE HYDRANTS

3

NO. OF BUILDING CONNECTIONS:

2

**A. UTILITY PLAN PROCESSING**

PLAN REVIEW (Hours): 4

STATE PERMIT PROCESSING (Hours): 2

ENGINEERING STAFF TOTAL HOURS: 6 @ \$70.70 = \$ 424.20

**B. WATER MAIN INSPECTION**

TOTAL LINEAL FEET OF WATER MAIN: 908 LINEAL FEET INSTALLED PER DAY: 200 = DAYS TO INSTALL MAIN: 5

DAYS TO INSTALL MAIN: 5 X HOURS OF INSPECTION PER DAY: 4 = INSPECTION HOURS: 20

CONSTRUCTION INSPECTION HOURS: 20 TESTING & SAMPLING HOURS: 4 FINAL INSPECTION HOURS: 24

CONSTRUCTION INSPECTOR II TOTAL HOURS: 24 @ \$56.01 = \$ 1,344.24

**C. SANITARY SEWER INSPECTION**

TOTAL LINEAL FEET OF SEWER MAIN: 0 LINEAL FEET INSTALLED PER DAY: 0 = DAYS TO INSTALL MAIN: 0

DAYS TO INSTALL MAIN: 0 X HOURS OF INSPECTION PER DAY: 0 = INSPECTION HOURS: 0

CONSTRUCTION INSPECTION HOURS: 0 TESTING HOURS: 0 FINAL INSPECTION HOURS: 0

CONSTRUCTION INSPECTOR II TOTAL HOURS: 0 @ \$0.00 = \$ 0

**D. FIELD SURVEYS, AS-BUILT DATA COLLECTION & EASEMENTS**

SURVEY CREW: HOURS: 6 @ \$56.01 = \$ 336.06 HOURS: @ = \$  
HOURS: @ = \$ HOURS: @ = \$

SURVEY CREW TOTAL: \$ 336.06

**ESTIMATE OF ENGINEERING SERVICES  
CHARTER TOWNSHIP OF DELTA  
EATON COUNTY, MICHIGAN**

PROJECT NAME: D&K Truck Company

**E. AS-BUILT DRAWINGS**

WATER MAIN (Hours): 3

SANITARY SEWER (Hours): 0

AS-BUILT DRAWING TOTAL HOURS:

3

@ \$56.01

= \$ 168.03

**F. WATER and/or SANITARY SEWER EASEMENTS**

DRAWINGS: 2 @ \$56.01 = \$ 112.02

DOCUMENTS: 2 @ \$56.01 = \$ 112.02

EASEMENTS TOTALS: \$ 224.04

**G. WATER SAMPLE TESTING** (\$12.75 is LBWL lab rate, other labs are available at a higher rate)

SAMPLES: 4 @ 12.75 = \$ 51.00

**H. SIDEWALK INSPECTION**

CONSTRUCTION INSPECTOR II HOURS: 0 @ \$0.00 = \$ 0.00

**TOTAL ESTIMATE FOR ENGINEERING SERVICES** (Pages 1 & 2)

ITEM A TOTALS: \$ 424.20

ITEM E TOTALS: \$ 168.03

ITEM B TOTALS: \$ 1,344.24

ITEM F TOTALS: \$ 224.04

ITEM C TOTALS: \$ 0.00

ITEM G TOTALS: \$ 51.00

ITEM D TOTALS: \$ 336.06

ITEM H TOTALS: \$ 0.00

GRAND TOTAL ALL ITEMS: \$ 2,547.57

PREPARED BY: Gary M. Bozek, AICP, PCP

DATE: Apr 7, 2014





## MEMO

TO: Delta Township Board

DATE: April 8, 2014

FROM: Mary R. Clark, Clerk

RE: Amusement/Entertainment Permit – May 3/4, 2014

We are in receipt of an application from St. Gerard's Church for an Amusement & Entertainment permit for May 3/4, 2014. Attached is their letter of application for Amusement & Entertainment Permit; diagrams of both parking areas and layout of festival, certificate of insurance, bond, and any staff comments submitted.

The applicant has complied with all information requested in the Ordinance for permit. St. Gerard's has operated this festival at this location for several years. St. Gerard's has in the past employed extra security with no incidents and will continue with the extra security as noted in their application.

Therefore, I recommend the Township Board adopt the following resolution:

"THE DELTA TOWNSHIP BOARD GRANT AN AMUSEMENT AND ENTERTAINMENT LICENSE TO ST. GERARD'S CHURCH TO HOLD THEIR ANNUAL FESTIVAL BETWEEN THE HOURS OF 8:00 A.M., SATURDAY, MAY 3, 2014, AND CONCLUDING AT 1:00 A.M., SUNDAY, MAY 4, 2014, AND FURTHER

THE AMUSEMENT AND ENTERTAINMENT PERMIT IS GRANTED SUBJECT TO THE FOLLOWING STIPULATIONS:

- 1) THAT ALL OTHER TOWNSHIP ORDINANCES AND REGULATIONS BE ADHERED TO;
- 2) THAT THE FIRE MARSHALL AND ELECTRICAL INSPECTOR WILL PERFORM INSPECTIONS IF REQUIRED AFTER FESTIVAL SET UP,

- 3) APPLICANT MUST ADHERE TO THE 2012 INTERNATIONAL FIRE CODE REGARDING TENTS.
- 4) FURTHER, THAT THE FEE FOR THE AMUSEMENT & ENTERTAINMENT LICENSE HAS BEEN WAIVED.
- 4) THE APPLICANT OF THE FESTIVAL SHALL BE RESPONSIBLE FOR ALL OPERATIONAL REQUIREMENTS STATED IN SECTION 6-16 OF THE AMUSEMENT & ENTERTAINMENT ORDINANCE.
- 5) THE APPLICANT OF THE FESTIVAL SHALL BE RESPONSIBLE FOR CONTAINING ALL PARKING FOR THE FESTIVAL WITHIN THE CHURCH PROPERTY; AND
- 6) THE HOURS OF OPERATION FOR THE FESTIVAL SHALL BE SATURDAY, MAY 4, 2013, FROM 8 A.M. THRU SUNDAY, MAY 5, 2013. AT 1:00 A.M.

LICENSES\Amusement-Entertainment\2014\Memo Brd Trustees-Stgerards.doc

## APPLICATION FOR A ENTERTAINMENT AND PERFORMANCE LICENSE

The undersigned hereby applies for a license to sponsor, operate, exhibit, perform or cause to be operated, exhibited or performed any public amusement, entertainment, bingo game, exhibition, circus, carnival, sporting event or religious service under canvas or in the open air, within the Charter Township of Delta, Michigan. This listing is illustrative only and is not meant to be all inclusive.

### GENERAL INFORMATION:

FULL LEGAL NAME OF APPLICANT: St. Gerard Church  
ADDRESS OF APPLICANT: 4437 W Willow Hwy Lansing 48917  
APPLICANT PHONE NUMBER: 517 323-2379  
APPLICANT(S) DATE OF BIRTH: \_\_\_\_\_  
FULL LEGAL NAME OF OWNER(S): St. Gerard Church  
ADDRESS OF OWNER(S): 4437 W Willow Hwy  
OWNER(S) PHONE NUMBER: 517 323-2379  
OWNER(S) DATE OF BIRTH: \_\_\_\_\_  
FULL LEGAL NAME OF OPERATOR(S): St. Gerard Church  
ADDRESS OF OPERATOR: 4437 W Willow Hwy  
OPERATOR(S) PHONE NUMBER: 517 323-2379  
OPERATOR(S) DATE OF BIRTH: \_\_\_\_\_  
FULL LEGAL NAME OF SPONSOR(S): \_\_\_\_\_  
ADDRESS OF SPONSOR(S): \_\_\_\_\_  
SPONSOR(S) PHONE NUMBER: \_\_\_\_\_

### EVENT INFORMATION:

LOCATION OF PROPOSED EVENT: St. Gerard Church  
DATES OF PROPOSED EVENT: May 3<sup>rd</sup> 2014  
PROPOSED HOURS OF OPERATION: 8am - 1am  
CHARGES FOR ADMISSION: 10<sup>00</sup>

Recei

IF NO ADMISSION CHARGE, OTHER MANNER(S) IN WHICH MONEY OR OTHER CONSIDERATION IS RECEIVED:

---

BRIEF DESCRIPTION OF PROPOSED TYPE OF ACTIVITY(S) INCLUDING TIMES:

Festival runs all day.  
Beer tent adult activity is 7pm – 12 midnight.  
Music from 8:30 – 11:30pm.  
Adult night with food, beer and music.

BRIEF DESCRIPTION OF APPLICANT AND OPERATOR(S) EXPERIENCE WITH PROPOSED EVENT AND ACTIVITY(S):

Last year ran same event with no reported incidents.  
Will have two security guards all night.

BRIEF STATEMENT WHETHER APPLICANT HAS APPLIED FOR A SIMILAR LICENSE OTHER THAN DESCRIBED IN THIS APPLICATION, AND THE DISPOSITION OF SUCH APPLICATION:

Received same license last year.

**INSURANCE INFORMATION:**

INSURED

BY: MCC - Michigan Catholic Conference

\$500,000.00, in the event of injury or death of any one person, and for the payment up to \$1,000,000.00 in the event of injury or death of more than one person, and for the payment up to \$500,000.00, for property damage. **The Charter Township of Delta must appear as an additional insured and receive a 30-day cancellation notice.**

POLICY#: Copy Attached DATE ISSUED: \_\_\_\_\_ EXPIRATION DATE: \_\_\_\_\_

BONDED

BY: Travelers

(In the Penal Sum of \$10,000.)

BOND#: Copy Attached DATE ISSUED: \_\_\_\_\_ DATE EXPIRES: \_\_\_\_\_

**REQUIREMENTS:**

Applicant understands full compliance with any and all Township Ordinances is required, including but not limited to, the:

Delta Township Fire Code,  
Delta Township Zoning Ordinance,  
Delta Township Building Code,  
Delta Township Utility Ordinance,  
Delta Township Traffic Ordinance,  
Delta Township Sign Ordinance,  
Delta Township Nuisance Ordinance,  
Delta Township Noise Ordinance,  
Delta Township Offenses Ordinance.

Applicant understands full compliance with any and all Township Ordinances, County Ordinances, State Statutes, and Federal Statutes is required.

**IMPORTANT:** applicant is required to provide, along with this application, items necessary to show how and where the license (if granted) is to be utilized, which shall describe adequate off-street parking, lighting, refuse disposal facilities, water facilities, restroom facilities, medical facilities, seating, trespass containment, and adequate plans for screening and noise control. This listing is illustrative only, and is not meant to be all inclusive.

Applicant understands all required fees, utility bills, and taxes must be paid in full before a license will be granted. Applicant is required to provide written permission from the property owner, of the property upon which the event or activity is intended to take place. A fee for each license shall be in an amount determined by resolution of the Township Board.

Such other information as deemed reasonably necessary and proper, for the full protection of the Charter Township, as well as the applicant in order to effectuate the purposes of the Ordinance and determine whether the terms of the Ordinance and State Statutes are being complied with, may be required to be provided by applicant.

Should your request for a license be denied by the Township Clerk, applicant may file an Appeal to the Township Board. To file an appeal, the form is available from the Township Clerk, a fee is required and set by resolution of the Township Board and applicant has five days from the date of denial in which to file such appeal.

"I, the undersigned, hereby acknowledge my understanding of this application and its requirements. I have received and read a copy of the Township Ordinance, and understand and will comply with the regulations contained within the Township Ordinance. Further, I understand that a false statement on this application may result in either a denial of this application or subsequent revocation if this license is granted."

APPLICANT SIGNATURE: Brian Drost

DATE: 3/6/14

Such other information as deemed reasonably necessary and proper, for the full protection of the Charter Township, as well as the applicant in order to effectuate the purposes of the Ordinance and determine whether the terms of the Ordinance and State Statutes are being complied with, may be required to be provided by applicant.

Should your request for a license be denied by the Township Clerk, applicant may file an Appeal to the Township Board. To file an appeal, the form is available from the Township Clerk, a fee is required and set by resolution of the Township Board and applicant has five days from the date of denial in which to file such appeal.

"I, the undersigned, hereby acknowledge my understanding of this application and its requirements. I have received and read a copy of the Township Ordinance, and understand and will comply with the regulations contained within the Township Ordinance. Further, I understand that a false statement on this application may result in either a denial of this application or subsequent revocation if this license is granted."

APPLICANT SIGNATURE: \_\_\_\_\_

DATE: \_\_\_\_\_

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Official use only below this line.

Reviewed and approved by the following:	Date	Initials
Delta Township Clerk's Office: _____	3-21-14	JR
Eaton County Sheriff Department: _____	3-28-14	JC
Delta Township Fire Department: _____		
Delta Township Planning Department: _____	3-24	MG
Delta Township Building Department: _____		
Delta Township Treasurer: _____		
Fee Established: _____	non profit - none	
Delta Township Board of Trustees: _____	4-21-14	
Application Fee Paid (receipt no.): _____	N/A	
License Fee Paid (receipt no.): _____	N/A	
Date of Acceptance/Denial: _____	4-21-14 (Bd Mtg)	



# CERTIFICATE OF LIABILITY INSURANCE

 DATE (MM/DD/YYYY)  
02/04/2014

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

**IMPORTANT:** If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

<b>PRODUCER</b> 1-616-233-0910 Arthur J. Gallagher Risk Management Services, Inc.  300 Ottawa N.W. Suite 301  Grand Rapids, MI 49503-2308 Please call MCC (517) 372-9310	<b>CONTACT</b> NAME: PHONE (A/C, No, Ext): FAX (A/C, No): E-MAIL ADDRESS:  <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="text-align: center;">INSURER(S) AFFORDING COVERAGE</th> <th style="text-align: center;">NAIC #</th> </tr> <tr> <td>INSURER A: PRINCETON EXCESS &amp; SURPLUS LINES INS</td> <td>10786</td> </tr> <tr> <td>INSURER B: SAFETY NATL CAS CORP</td> <td>15105</td> </tr> <tr> <td>INSURER C:</td> <td></td> </tr> <tr> <td>INSURER D:</td> <td></td> </tr> <tr> <td>INSURER E:</td> <td></td> </tr> <tr> <td>INSURER F:</td> <td></td> </tr> </table>	INSURER(S) AFFORDING COVERAGE	NAIC #	INSURER A: PRINCETON EXCESS & SURPLUS LINES INS	10786	INSURER B: SAFETY NATL CAS CORP	15105	INSURER C:		INSURER D:		INSURER E:		INSURER F:	
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INSURER D:															
INSURER E:															
INSURER F:															
<b>INSURED</b> Michigan Catholic Conference ST GERARD PARISH, LANSING 5094 510 S. Capitol Ave.  Lansing, MI 48933															

**COVERAGES**
**CERTIFICATE NUMBER:** 38373561

**REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<b>GENERAL LIABILITY</b> <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> Add'l Insured form <input checked="" type="checkbox"/> PESFG1161 GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC	X		R2-A3-PF-000000009-10	07/01/13	07/01/14	EACH OCCURRENCE \$ 10,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$ GENERAL AGGREGATE \$ PRODUCTS - COMP/OP AGG \$ \$
	<b>AUTOMOBILE LIABILITY</b> <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	<b>UMBRELLA LIAB</b> <b>EXCESS LIAB</b> <input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> DED <input type="checkbox"/> RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$ \$
B	<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below			SP 4048740	07/01/13	07/01/14	<input checked="" type="checkbox"/> WC STATU-TORY LIMITS <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000
A	Dir & Off/Counselors E&O			R2-A3-PF-000000009-10	07/01/13	07/01/14	Occ/Claims Made 3,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

\*\*LIMITS ARE INCLUSIVE OF DEFENSE &amp; INSURED RETENTION\*\*

CERTIFICATE HOLDER NAMED ADDITIONAL INSURED REGARDING GENERAL LIABILITY FOR OPERATIONS PERTAINING TO PARISH FESTIVAL ON MAY 2, 3, &amp; 4, 2014, INCLUDING HOST LIQUOR LIABILITY.

**CERTIFICATE HOLDER**
**CANCELLATION**

The Charter Township of Delta (5094)

7710 W Saginaw Hwy

Lansing, MI 48917

USA

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE



Travelers Casualty and Surety Company of America  
Hartford, CT 06183

**CONTINUATION CERTIFICATE  
FIDELITY OR SURETY BONDS/POLICIES**

License No. \_\_\_\_\_

In consideration of \$100.00 dollars renewal premium, the term of Bond/Policy No. 105887606 in the amount of \$10,000.00, issued on behalf of SAINT GERARD PARISH, whose address is 4437 W. WILLOW LANSING, MI 48917, in favor of CHARLES TOWNSHIP OF DELTA, whose address is 7710 W. SAGINAW HIGHWAY LANSING, MI 48917, in connection with License or Permit Bond - Definite Term is hereby extended to May 4, 2015, subject to all covenants and conditions of said bond/policy.

This certificate is designed to extend only the term of the bond/policy. It does not increase the amount which may be payable thereunder. The aggregate liability of the Company under the said bond/policy together with this certificate shall be exactly the same as, and no greater than it would have been, if the said bond/policy had originally been written to expire on the date to which it is now being extended.

Signed, sealed and dated February 03, 2014

Travelers Casualty and Surety Company of America

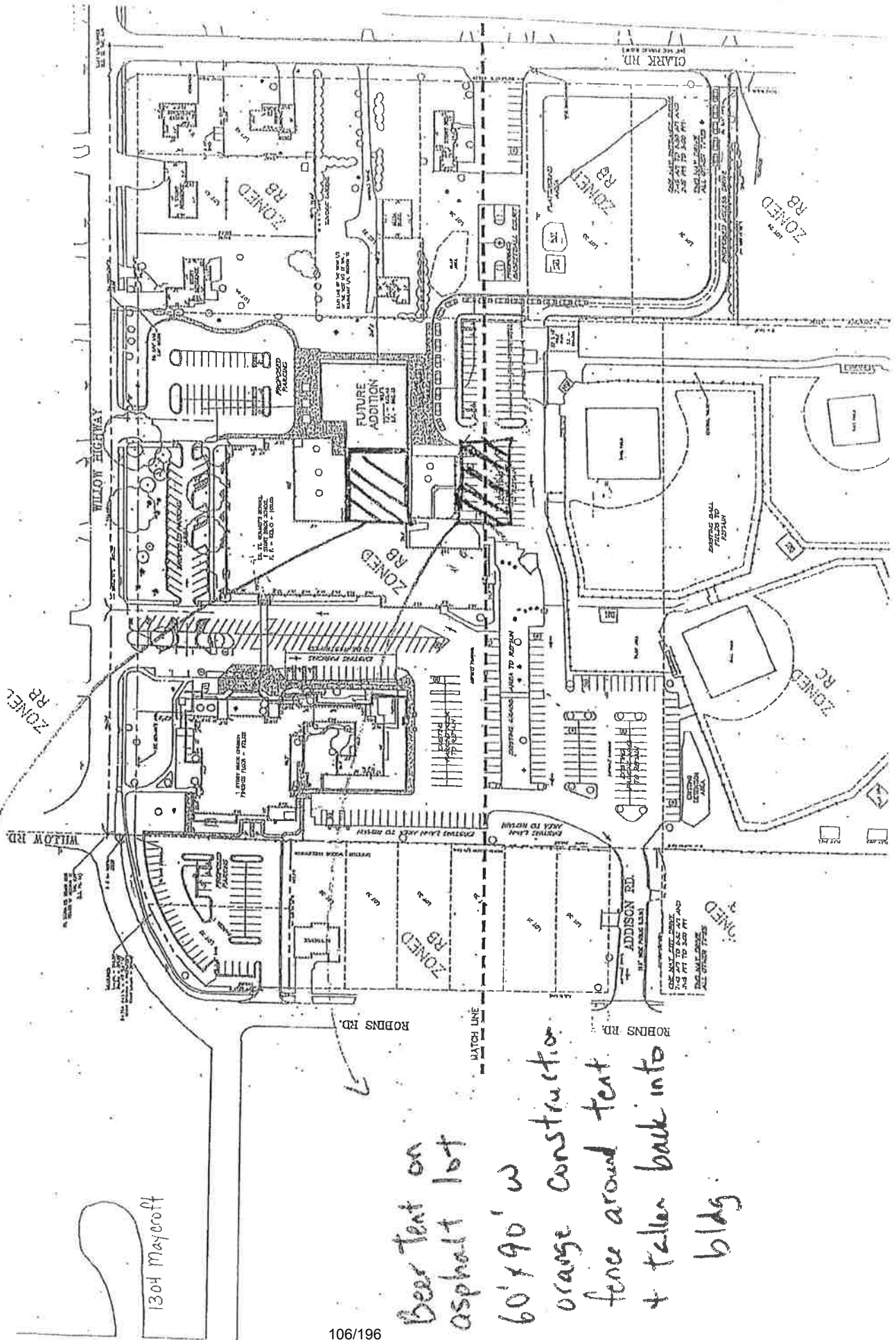
By: \_\_\_\_\_

Robert L. Raney, Senior Vice President





Weather backdr 60' x 100' Weber Hall





**DATE:** March 24, 2014

**TO:** Mark Graham, Community Development Director  
Chief John Clark, Fire Dept.  
Dave Williams, Electrical Inspector  
Lt. Jeff Campbell, Eaton County Sheriff's Dept.  
Jeff Anderson, Finance Director  
Richard Watkins, Township Manager

**FROM:** Tracy L. Ruiz, Deputy Clerk

**RE:** St. Gerard Church – Festival – Saturday, May 3, 2014

Please be aware that we have received an application to conduct a festival on the property of St. Gerard Church on Saturday, May 3, 2014. St. Gerard Church has also applied for waiver of Noise Ordinance which is being processed by the Manager's Office.

I have attached all the information submitted with the application. Please review the packet of information and submit your responses regarding pros/cons of this event. This same event was approved in past years and set-up/event is essentially the same.

The Township Board **MUST** approve this license. Therefore, I am requesting your responses to this event by Friday, March 28, 2014, so that I can prepare the information and recommendation for the Township Board

If you have any questions, please feel free to contact me at Ext. 204



**DATE:** March 24, 2014

**TO:** Mark Graham, Community Development Director  
Chief John Clark, Fire Dept.  
Dave Williams, Electrical Inspector  
Lt. Jeff Campbell, Eaton County Sheriff's Dept. → OK JK  
Jeff Anderson, Finance Director  
Richard Watkins, Township Manager

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**If you** have any questions, please feel free to contact me at Ext. 204

## Tracy Ruiz

---

**From:** Mark Graham  
**Sent:** Monday, March 24, 2014 8:20 AM  
**To:** Tracy Ruiz  
**Subject:** St Gerard Church Festival, May 3, 2014

March 24, 2014

Tracy:

I'm in receipt of your memo of March 24, 2014 regarding the St. Gerard Church Festival scheduled for May 3, 2014.

The set-up for this year's festival appears to be very similar to past years. There have been no zoning violations that I'm aware of in the past.

Thank you for providing me an opportunity to comment.

Mark Graham

## **MEMO**

TO: Township Board  
Delta Township

DATE: April 14, 2014

FROM: Jen Roberts  
Deputy Township Manager

RE: Noise Waiver Request for St. Gerard Church – May 3, 2014

St. Gerard Church has applied for a special permit to waive the requirements of the Noise Ordinance in reference to offering music entertainment for their upcoming annual festival. The proposed waiver will be from 8:30 p.m. through 11:30 p.m. on Saturday, May 3, 2014.

We have notified all the property owners within 300 feet of St. Gerard's property line of this request. We have not received any objections from residents with regard to this event.

Therefore, we offer the following:

“I move the Township Board approve the request by St. Gerard Church for a waiver of the Noise Ordinance between the hours of 8:30 p.m. and 11:30 p.m. on May 3, 2014.”

ST. GERARD CHURCH - LANSING, MICHIGAN  
Memo:

26193

NOISE PERMIT-5/3/14

3/19/14

50.00

\$50.00

THIS CHECK HAS VARIOUS SECURITY FEATURES INCLUDING COLORED BACKGROUND, MICROPRINTING & WATERMARK

ST. GERARD CHURCH  
4437 W. WILLOW HWY.  
LANSING, MICHIGAN 48917

CITIZENS BANK  
6101 W. SAGINAW  
LANSING, MI 48917

26193

26193

Fifty and 00/100 Dollars

PAY  
TO THE  
ORDER  
OF:

Delta Charter Township  
7710 west Saginaw  
Lansing , MI 48917-9712

DATE  
3/19/14

AMOUNT  
\$ 50.00





111/196  
⑈026193⑈ ⑆072400528⑆ 4512772213⑈

ENDORSE HERE:

DO NOT SIGN / WRITE / STAMP BELOW THIS LINE  
FOR FINANCIAL INSTITUTION USAGE ONLY



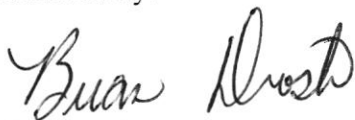
FEDERAL RESERVE BANK REGULATION CC  
The security feature listed below, as well as those  
not listed, exceed industry guidelines.  
Endorsement MicroPrint Signature Lines Small type in signature line appears  
as dotted line when photocopied.  
Absence of "Original Document" verbiage on back of check voids check.

Delta Township: Feb.2014

1. We would like the temporary waiver until 11:30pm for the music. Music will play from 8:30pm – 11:30pm.
2. Location of tent has some built-in noise barriers.
  - Two story buildings to the north and west
  - To the south, three ball fields, an office building and then Saginaw Hwy
  - We own the houses closest on the east
3. Tent will have sides.
4. Type of Music would be considered “soft rock”.
5. It will be fenced in and will have security.
6. This is a once a year, religious fundraiser.
7. I anticipate the noise level to be very similar to previous years.
8. I have included details about the kid’s games we will setup from 12:00(noon) until 6:00pm.

Thanks for your consideration!

Submitted by:



Brian Droste  
Operations Manager  
St. Gerard Church





**DELTA CHARTER TOWNSHIP**

7710 W. Saginaw Highway

Lansing, MI 48917

(517) 323-8500

**APPLICATION FOR SPECIAL PERMIT**

**To use**

**SOUND AMPLIFYING EQUIPMENT (SAE)**

APPLICATION FOR A PERMIT FOR RELIEF FROM THE NOISE LEVEL DESIGNATED IN  
ARTICLE IV OF CHAPTER 11 (NOISE CONTROL) OF THE DELTA CHARTER TOWNSHIP  
CODE OF ORDINANCES.

**OWNER OF SOUND AMPLIFYING EQUIPMENT**

Name St. Gerard Church  
Street Address 4437 W Willow Hwy  
City, State & Zip Lansing MI 48917

**USER OF SOUND AMPLIFYING EQUIPMENT**

Name St. Gerard Church  
Street Address 4437 W Willow Hwy  
City, State & Zip Lansing MI 48917  
Purpose of using SAE: Parish Festival  
Location of Use: St. Gerard Church  
Dates to be used: May 3 2014  
Times to be used: 8:30pm - 11:30pm  
(Please circle one) Stationary or Mobile  
If mobile, license and vehicle numbers: \_\_\_\_\_  
Maximum sound producing power of SAE including wattage and volume in decibels of  
sound, which will be produced: Same as last year  
Approximate distance from which sound will be audible from SAE: Same as last year

**APPLICATION FOR SPECIAL PERMIT**

PAGE 2

**For Sound Amplifying Equipment**

Applications may be made to the Township Board or its duly authorized representatives on the basis of undue hardship. Relief may be granted as applied for if one of the following is found:

- (1) That additional time is necessary for the applicant to alter or modify his/her activity or operation to comply with this article; or
- (2) The activity, operation or noise source will be of temporary duration, and cannot be done in a manner that would comply with other subsections of this section; and
- (3) That no other reasonable alternative is available to the applicant.

The Township Board may prescribe any conditions or requirements deemed necessary to minimize adverse effects upon the community or the surrounding neighborhood;

Brian Drost 3/6/17  
SIGNATURE OF APPLICANT DATE

**OFFICE USE ONLY**

APPLICATION FEE: \$50.00 PAID     /     /     RECEIPT NO.           

APPROVED BY THE BOARD OF TRUSTEES:     /     /    

APPROVED FOR THE FOLLOWING DATES:                                                           

                                                            
AUTHORIZED SIGNATURE DATE

g:\licenses\noise\application

27

JOINED



751

## MEMO

**TO:** Township Board  
Delta Charter Township

**FROM:** Gary Bozek, Assistant Director  
Community Development Department

**DATE:** April 11, 2014

**SUBJECT:** Final Consideration of Art Baryames (for Baryames Development, LLC)  
Rezoning Request, Case No. 2-14-4

We are is in receipt of a rezoning application submitted by Mr. Art Baryames to rezone his property located at 6334 West Saginaw Highway, on the northeast corner of West Saginaw Highway and Creyts Road, in Section 11, from O, Office, to B2, Community Commercial.

The subject parcel is approximately 1.73 acres in size and is the site of a 13,232 square foot building containing restaurants, personal service establishments, and office uses. The rezoning would allow increased flexibility in filling currently vacant suites.

On February 17, 2014, the Township Board referred the rezoning request to the Planning Commission for the purpose of holding a public hearing and making a recommendation to the Board. The Planning Commission held the hearing on March 10, 2014. Following the hearing the Commission, by a vote of 8-0 (Lathrop absent), recommended approval of the rezoning. On March 17, 2013 the Township Board formally introduced the case and scheduled final consideration for the April 21, 2014 regular Board meeting. Attached please find the minutes from the March 10, 2014 public hearing before the Planning Commission; and staff's report with supporting maps and documentation.

The following motion, pursuant to the Planning Commission's recommendation, is offered for the Board's consideration:

"I move that the Delta Township Board **approve** the request to rezone the property described in Case No. 2-14-4 from O, Office, to B2, Community Commercial, for the following reasons:

The rezoning request generally complies with the criteria specified for rezonings in Section 25.4.0 of the Delta Township Zoning Ordinance being that:

1. There are no physical limitations to development of the subject parcel for the uses permitted in the B2, Community Commercial, zoning district.
2. The rezoning is generally consistent with the recommendations of the Delta Township Comprehensive Plan.
3. The land uses permitted within the proposed B2, Community Commercial, zoning district would not significantly alter the existing character of the existing development on the subject parcel.

Delta Township Board

Re. Final Consideration of Baryames Rezoning Request – Case No. 2-14-4

April 11, 2014

Page 2

4. The existing development, which is essentially commercial in character, has not posed a nuisance or a threat to public health, safety, or welfare by reason of excessive generation of traffic, noise, dust, glare, odors, etc.”

Please contact me if you have any questions.

/gb

Attachments

K:\PLANNING\GARY BOZEK\CORS\BRD\ART BARYAMES B2 REZONING FINAL CONSIDERATION.DOC

**Summary Record of Public Hearing for Case No. 2-14-4, Rezoning Request from O, Office, to B2, Community Commercial, Applicant is Art Baryames, 6334 W. Saginaw Highway Lansing, Michigan 48917.**

Members in attendance: Schweitzer, Cascarilla, Laforet, Gabriel, MacLaren, McConnell, Mudry, and Ruswinckel.

Members absent: Lathrop.

Assistant Community Development Director Gary Bozek informed the Commission that Art Baryames was present this evening on behalf of Baryames Development, LLC who was the owner of the subject parcel. He noted that the subject parcel was developed in 2002 with a 13,232 square foot building with frontage on Lincoln Court to the east, Creyts Road to the west, and Saginaw Highway to the south. Mr. Bozek reviewed adjacent land uses and their zoning classifications and the fact that even though the subject parcel was zoned office, it was commercial in character and that the proposed rezoning would provide the applicant more flexibility for leasing of vacant suites. Mr. Bozek stated that the office zoning classification was placed on the property in 1978 and that there was a request in 2001 by Mr. Baryames to rezone the property from Office to B2, but at that time, a bank existed on the property and the Township Board denied the request. He noted that in July of 2001, the Township Board granted a Special Land Use Permit to allow the establishment of sit-down restaurants on the subject parcel, which were permitted in the Office zoning district upon issuance of a Special Land Use Permit. He noted that the Zoning Ordinance allowed up to 30% of the gross floor area of an office building to be devoted to personal service uses such as dry cleaners, beauty shops, and massage/spa uses.

Mr. Bozek said public utilities were available to serve the site and that there wouldn't be any non-conformity created on the site as a result of the proposed rezoning. Mr. Bozek noted that even though the subject parcel was zoned Office, it met the definition of a "Specialty Realty Center" per the Trip Generation manual staff used to determine trip generation. He noted that the rezoning would not result in a significant increase in trip generation as opposed to the existing office zoning on the site. He noted that the staff report provided pros and cons in consideration of the rezoning request and that the main concern was that the proposed rezoning was inconsistent with the recommendation of the Future Land Use Map which recommended office. However, he noted that there were sections of the Comprehensive Plan that spoke to creating more walkable communities and that the proposed rezoning would provide bicycle and walkable accessible shopping opportunities in close proximity to neighborhood residents. He noted that the Comprehensive Plan also referred to the office zoning providing a transition between incompatible land uses, but in this case, there were already established office developments that separated the subject parcel from the residential neighborhood to the north.

Ms. Gabriel questioned why the property was zoned office.

Mr. Bozek felt the office zoning represented the recommendations contained in the Comprehensive Plan since the 1970's. He noted that office zoning was used as a transitional use

**SUMMARY RECORD OF PUBLIC HEARING  
CASE NO. 2-14-4  
MARCH 10, 2014  
PAGE 2**

between commercial and residential and in this case, you are only transitioning from one single family lot located to the north.

Ms. Gabriel questioned why a rezoning request was denied by the Township in 2001.

Mr. Bozek said at the time the rezoning was requested, a bank building existing on the property. He felt the Township Board had been consistent throughout the years by maintaining the office zoning on the property and he felt the Board just went along with what they had done in the past.

Ms. Gabriel inquired about parking requirements.

Mr. Bozek said parking would be the same for a standard office use or a standard commercial use and that the differences in parking requirements were determined by uses such as restaurants, beauty shops, or barber shops. However, he pointed out that all of those types of uses were also allowed in the office zoning district.

Mr. McConnell inquired about Staff's Analysis and #7 under pros and cons of the rezoning request where staff had indicated that allowing an expansion in the variety of uses would provide for more convenient pedestrian and bicycle accessible shopping opportunities.

Mr. Bozek said he attempted to point out that rezoning the parcel to commercial would allow a variety of uses that residents wouldn't have to get into their car to find elsewhere, but rather they could walk or bike to.

A question was asked about the detention pond located on the property.

Mr. Bozek noted that the applicant had not expressed an interest in developing the detention pond that was located on the site.

Mr. Mudry inquired about the existing special land use permits on the property if the rezoning was approved.

Mr. Bozek said the special land use permits for the restaurants would become a moot point because they were not necessary in the B2 zoning district and that most restaurants were provided for by-right in the B2 zoning district.

Ms. Cascarilla questioned if it would be possible for the residential property located to the north could be zoned office as a buffer from the commercial.

**SUMMARY RECORD OF PUBLIC HEARING  
CASE NO. 2-14-4  
MARCH 10, 2014  
PAGE 3**

Mr. Bozek didn't feel it would be necessary because the Zoning Ordinance required landscaping and setback requirements that were actually greater in the commercial district than they were in the office district.

Ms. Cascarilla noted that some of her concern was the precedence that could be set for other commercial requests in the vicinity. She questioned whether just a portion of the subject parcel could be rezoned to a commercial classification and that portion of the site immediately adjacent the single family residential lot remain zoned office.

Mr. Bozek noted that staff tried not to place two different zoning districts on the same parcel and in fact, there was language in the Zoning Ordinance that states that the more restrictive must apply if there were two zoning classifications on one site.

Ms. Laforet asked if staff had received any correspondence on this case.

Mr. Bozek said staff had received one letter from Ken Stockwell who was the manager of the property located to the east, indicating that if the rezoning request was granted, that they be given the same consideration.

Mr. MacLaren asked if the rezoning request was approved, Mr. Stockwell could make the same request and the more restrictive buffering standards between the residents would apply.

Mr. Bozek stated that the more restrictive standards would apply if Mr. Stockwell wanted to expand his development and that it wouldn't change what already existed on his property.

Ms. Ruswinckel said she wanted to disclose that she had represented the Stockwell Company in the past and had no knowledge of Mr. Stockwell's letter and that it would not impact her decision on this case.

Mr. Schweitzer asked if there was anyone that would like to speak on this matter.

Ed Reed, Economic Development Coordinator, introduced representatives of CBRE Richard Ellis, Ms. Amy Richter-Perkins and Dan Sermak, who are the leasing agent and property manager, respectively, for the subject parcel. Mr. Reed indicated that they were present this evening to answer any questions the Commission may have. Mr. Reed informed the Commission that it had been very difficult for the property owner to lease the building with the office zoning classification in place. He noted that if the rezoning was granted, there were actually two potential tenants waiting for the availability of the building. Mr. Reed reiterated the fact that the rezoning request would not change the character of the building, but rather it would allow the building to be 100% utilized.



**SUMMARY RECORD OF PUBLIC HEARING  
CASE NO. 2-14-4  
MARCH 10, 2014  
PAGE 4**

**MOTION BY GABRIEL, SECONDED BY MACLAREN, THAT THE PUBLIC HEARING BE CLOSED. VOICE VOTE. CARRIED 8-0.**

Ms. Laforet said that in the early 1990's, it was felt that the subject parcel should be zoned commercial because there were uses that wanted to locate on the site, but a commercial zoning classification didn't fit in with the Comprehensive Plan at that point in time. Ms. Laforet speaking as a realtor and being knowledgeable of the history of the site, she was in favor of rezoning the property to commercial due to its close proximity to neighborhoods and the Township's trail system.

**MOTION BY MUDRY, SECONDED BY GABRIEL, THAT THE DELTA TOWNSHIP PLANNING COMMISSION RECOMMEND TO THE DELTA TOWNSHIP BOARD APPROVAL OF THE REQUEST TO REZONE THE PROPERTY DESCRIBED IN CASE NO. 2-14-4 FROM O, OFFICE, TO B2, COMMUNITY COMMERCIAL, FOR THE FOLLOWING REASONS:**

**THE REZONING REQUEST GENERALLY COMPLIES WITH THE CRITERIA SPECIFIED FOR REZONINGS IN SECTION 25.4.0 OF THE DELTA TOWNSHIP ZONING ORDINANCE BEING THAT:**

- 1. THERE ARE NO PHYSICAL LIMITATIONS TO DEVELOPMENT OF THE SUBJECT PARCEL FOR THE USES PERMITTED IN THE B2, COMMUNITY COMMERCIAL, ZONING DISTRICT.**
- 2. THE REZONING IS GENERALLY CONSISTENT WITH THE RECOMMENDATIONS OF THE DELTA TOWNSHIP COMPREHENSIVE PLAN.**
- 3. THE LAND USES PERMITTED WITHIN THE PROPOSED B2, COMMUNITY COMMERCIAL, ZONING DISTRICT WOULD NOT SIGNIFICANTLY ALTER THE EXISTING CHARACTER OF THE EXISTING DEVELOPMENT ON THE SUBJECT PARCEL.**
- 4. THE EXISTING DEVELOPMENT, WHICH IS ESSENTIALLY COMMERCIAL IN CHARACTER, HAS NOT POSED A NUISANCE OR A THREAT TO PUBLIC HEALTH, SAFETY OR WELFARE BY REASON OF EXCESSIVE GENERATION OF TRAFFIC NOISE, DUST, GLARE, ODORS, ETC.**

**ROLL CALL VOTE. CARRIED 8-0.**

**SUMMARY RECORD OF PUBLIC HEARING  
CASE NO. 2-14-4  
MARCH 10, 2014  
PAGE 5**

Respectfully submitted,

---

Kim Laforet, Secretary

Minutes prepared by Anne Swink

DELTA TOWNSHIP COMMUNITY DEVELOPMENT DEPARTMENT  
PLANNING DIVISION STAFF REPORT

PREPARED BY: Gary Bozek

CASE NUMBERS: 2-14-4

DATE: March 3, 2014

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GENERAL INFORMATION

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APPLICANT: Art Baryames (for Baryames Development, LLC)  
2423 South Cedar Street  
Lansing, Michigan 48910

STATUS OF  
APPLICANT: Owner

REQUESTED ACTION: Rezoning from O, Office to B2, Community Commercial

EXISTING ZONING  
OF SUBJECT PARCEL: O, Office

GENERAL LOCATION: 6334 West Saginaw Highway on the northeast corner of West Saginaw  
Highway and Creyts Road

PARCEL SIZE: 1.73 acres, with 347 feet of frontage along West Saginaw Highway, 103  
feet of frontage along Creyts Road, 95 feet of frontage along the  
Creyts/Saginaw clear vision triangle, and 170 feet of frontage along  
Lincoln Court

EXISTING LAND USE  
ON THE PARCEL: 13,232 square feet building containing office, personal service, and  
sit-down restaurant uses

ADJACENT AREA  
LAND USES:

N	Delta Chiropractic Center/Hearing Center of Lansing, Front Room (Women's Prostheses) & Rear Yard of Single Family Dwelling
E	Dr. Golden's Office Center (FedEx, et al)
W	PNC Bank Branch & Kroger Grocery Store/Gas Station
S	Speedway Gas Station/Convenience Store & Creyts Crossing Retail Center

ZONING ON  
ADJOINING PARCELS:

N	O, Office, and RB, Low Density Residential
E	O, Office
W	O, Office & B2, Community Commercial
S	B2, Community Commercial

#### PROJECT DESCRIPTION:

The applicant is requesting that the 1.73 acre subject parcel, which is bounded by Creyts Road on the west, Saginaw Highway on the south, Lincoln Court on the east, and the Worthmore Subdivision on the north, be rezoned from O, Office, to B2, Community Commercial. The subject parcel was developed in 2002 with a 13,232 square foot building, which contains a variety of office, personal service, and sit-down restaurant uses. The restaurant uses are allowed on the site by virtue of a Special Land Use Permit granted by the Township Board on July 2, 2001. The personal service uses are permitted as per Section 13.2.0 F. of the Zoning Ordinance, which allows up to 30% of the gross floor area of an office building to be occupied by personal service uses such as dry cleaning drop-off & pick-up, barber/beauty shops, etc. The purpose of the rezoning is to allow flexibility in leasing the remaining vacant suites within the building.

#### SIGNIFICANT ELEMENTS OF THE COMPREHENSIVE PLAN:

The Future Land Use Map within the Delta Township Comprehensive Plan recommends that the area along the north side of West Saginaw Highway extending from Creyts Road to a point approximately 150 feet east of Garfield Road be developed for office uses. The subject parcel is located in this area.

#### RELEVANT ZONING ORDINANCE REGULATIONS:

Chapter 13 of the Delta Township Zoning Ordinance contains the land use regulations pertaining to the site's existing O, Office, zoning classification. Chapter 15 of the Zoning Ordinance contains the land use regulations pertaining to the proposed B2, Community Commercial, zoning classification. Schedules C and D of the Zoning Ordinance contain the site development standards for both the O and B2 zoning districts. Section 25.4.0 of the Zoning Ordinance contains the criteria that must be evaluated when considering a rezoning request.

#### ZONING HISTORY OF SUBJECT PARCEL:

On March 16, 1970, a new Township Zoning Ordinance and Map were adopted and the subject parcel was zoned A, Single Family Residential.

On September 13, 1974, a new Township Zoning Ordinance and Map were adopted and the subject parcel was placed into an R2, Low Density Residential, zoning classification.

On July 21, 1977, Judge Richard Robinson of the Eaton County Circuit Court issued a default judgment which lifted the deed restrictions that had prohibited commercial development on lots within the Worthmore Subdivision.

On September 5, 1978, the Delta Township Board denied a request to rezone the lots in Worthmore Subdivision along West Saginaw Highway between Creyts Road and Lincoln Court from R2, Low Density Residential, to C1, Community Commercial in Case No. 4-78-12. The lots that comprise the subject parcel in this case were included as part of the 1978 case. The Board rezoned the lots in Case No. 4-78-12 to an O, Office, zoning classification in lieu of the requested commercial zoning, and thus the subject parcel was placed into its current O, Office, zoning classification.

On December 15, 1990, a new Delta Township Zoning Ordinance and Map became effective, and the subject parcel retained an O, Office, zoning classification.

On January 2, 2001, the Delta Township Board denied a request filed by Mr. Baryames to rezone the subject parcel from O, Office, to B2, Community Commercial, in Case No. 10-00-30.

On July 2, 2001 the Delta Township Board granted a Special Land Use Permit in Case No. 5-01-10 to allow the establishment of sit-down restaurants on the subject parcel. Sit-down restaurants are permitted in the O, Office, zoning district upon issuance of a Special Land Use Permit as per Section 13.3.0 D. of the Delta Township Zoning Ordinance.

In August of 2002, construction of the existing building on the site was completed.

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## TECHNICAL INFORMATION

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### PUBLIC UTILITIES:

Water – The site is served via a connection to a 6 inch water main located on the east side of Lincoln Court.

Sanitary Sewer – The site is served via an 8 inch sanitary sewer located in the center of Lincoln Court.

Storm Drainage - The subject parcel is located within the Watson and Watson drainage district, which is under the jurisdiction of the Eaton County Drain Commissioner. On-site storm water detention is provided on the “leg” of the site lying between the Delta Chiropractic and Front Room properties. This detention pond outlets into a pipe located within the Creyts Road right-of-way.

### PHYSICAL SITE CHARACTERISTICS:

The site is currently developed with a 13,232 square foot building and associated parking and landscaping in compliance with the site development standards prescribed by the Delta Township Zoning Ordinance for the O, Office zoning district. The attached aerial photo illustrates the existing conditions on the site.

### SITE DEVELOPMENT STANDARDS:

The following is a comparison between the site development standards prescribed by the Zoning Ordinance for the existing O, Office, zoning district; the proposed B2, Community Commercial, zoning district; and the current site conditions.

	<u>Required O</u>	<u>Required B2</u>	<u>Existing</u>
Setbacks:			
Front (W. Saginaw Hwy.)	50 ft.	75 ft.	75 ft.
Front (Creyts Rd.)	30 ft.	30 ft.	55 ft.
Front (Lincoln Court)	30 ft.	30 ft.	75 ft.
Rear* (North)	20/40 ft. *	20/40 ft. *	20/160 ft.

\*Note: Where the subject parcel abuts residentially zoned land, the minimum required setback is 40 feet.

#### STREETS AND TRAFFIC:

Driveways providing ingress and egress to the subject parcel exist on West Saginaw Highway, Creyts Road, and Lincoln Court. West Saginaw Highway (M-43) is classified as a regional arterial. It is under the jurisdiction of the Michigan Department of Transportation and consists of five paved lanes in front of the subject parcel. Creyts Road is classified as a local arterial. It is under the jurisdiction of the Eaton County Road Commission and consists of four paved lanes in front of the subject parcel. Lincoln Court is classified as a local street. It is also under the jurisdiction of the Eaton County Road Commission and consists of two paved lanes in front of the site.

#### TRIP GENERATION:

Although zoned O, Office, there are a variety of non-office uses present on the site that are allowed by the Zoning Ordinance (i.e., Baryames dry cleaners, Dimitri's restaurant, Subway restaurant, massage services, etc.). The typical trip generation rates for office buildings contained in the standard reference manual Trip Generation would not be an accurate reflection of the trips being generated by the uses on the site. The current activity more closely resembles that of a "*Specialty Realty Center*" (pp. 1337 – 1346, Vol. 3 of 3, Trip Generation, 7<sup>th</sup> Edition). A building that is 13,232 square feet in size could be expected to generate an average of 586 vehicle trips per day. An average of 90 trips could be expected during the morning peak hour and an average of 66 trips could be expected during the afternoon peak hour. Changing the zoning classification from O, Office, to B2, Community Commercial would enable retail uses to become a part of the tenant mix, but it is staff's opinion that it would not likely result in a significant increase in trip generation.

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#### STAFF ANALYSIS

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#### I. The Planning Commission should consider the following pros and cons in considering this rezoning request:

##### Pro

- 1) At present, even though the subject parcel is zoned O, Office, the development on the site is commercial in character and has been in existence for nearly 12 years. Thus, the rezoning would not result in a change in character in the neighborhood.
- 2) The site is fully developed. The rezoning would not result in the expansion of the building on the site.
- 3) Although the proposed B2 zone would expand the types of uses allowed to occupy the building (i.e., mainly retail uses) the existing parking on the site would act as a limiting factor to control intensity.
- 4) Only a very small area of the subject parcel abuts residentially zoned land. It is the area of the site where the storm water detention pond is located. This area abuts the rear yard of a single family detached dwelling that faces Lincoln Court. The remainder of the site is surrounded by office and commercial uses.

- 5) The site is located on a leg of a major commercial intersection, being the Creyts Road/West Saginaw Highway intersection.
- 6) The rezoning will not create any nonconformities on the site. The site was developed in conformance with commercial site development standards.
- 7) Allowing an expansion in the variety of uses would provide for more convenient pedestrian and bicycle accessible shopping opportunities and for adjacent neighborhood residents. The rezoning would support several objectives of the Township's Non-Motorized Transportation Plan contained in Chapter 9 of the 2013 Delta Township Comprehensive Plan. These appear *under Goal 2 – Enhance Opportunities to Improve the Health of the Community* (p. 93) as follows:

*Objective A. Provide non-motorized routes to reduce vehicle trips.*

*Objective B. Encourage physical activity by providing opportunities to walk and bike.*

*Objective C. Increase the number of people walking and bicycling.*

*Objective D. Improve air quality by offering non-motorized routes as alternatives to auto trips.*

#### **Con**

- 1) The proposed rezoning is inconsistent with the recommendation of the Future Land Use Map within the Delta Township Comprehensive Plan which recommends that the subject parcel be developed for office uses.
- 2) The proposed rezoning, if approved, may create a precedent for other commercial rezoning requests in the immediate vicinity that are in closer proximity to single family dwellings. (Please see attached letter from Mr. Kenneth Stockwell dated February 26, 2014 requesting consideration of the same commercial zoning for the office strip center containing FedEx that is located opposite the subject parcel on the east side of Lincoln Court)

#### **II. Section 25.4.0 of the Delta Township Zoning Ordinance establishes general standards for the Planning Commission and Township Board to consider when evaluating rezoning requests. The following is a discussion of these standards as they relate to this case.**

##### **1. Are the physical, geological, hydrological, and other environmental characteristics and features compatible with the zoning district proposed?**

Being that the site is already developed, there appear to be no major physical limitations to development of the subject parcel for the uses permitted in the B2, Community Commercial, zoning district.

##### **2. Will the zoning district, as amended, conform to the goals and policies expressed in the Delta Charter Comprehensive Plan?**

Allowing an expansion in the variety of uses would provide for more convenient pedestrian and bicycle accessible shopping opportunities and for adjacent neighborhood residents. Thus, it could be argued that the rezoning would support the objectives of the Township's Non-Motorized Transportation Plan to reduce vehicle trips, encourage physical activity via walking and biking, and improving air quality via the reduction in auto trips.

The 2013 Comprehensive plan notes that "Office areas have been designated in some locations to provide a transition between incompatible land uses. It could be argued that in this case there are already established office developments separating the subject parcel from the residential neighborhood to the north and that these serve as an adequate transition. Thus, it is not necessary to maintain the subject parcel in an O, Office, zoning classification.

The requested rezoning is inconsistent with the land use recommendations for this area of the Township contained in the Comprehensive Plan. As noted previously, the Future Land Use Map within the Delta Township Comprehensive Plan recommends that the area along the north side of West Saginaw Highway from Creyts Road to a distance 150 feet east of Garfield Road be developed for office uses. The subject parcel is located in this area.

**3. Is the proposed zoning change justified by a change in conditions since the initial placement of the property in question in its current zoning district designation or by an error in the Official Zoning Map?**

The subject parcel was developed in 2002. Even though the subject parcel is zoned O, Office, the development on the site and the established uses can be characterized as commercial in nature as opposed to traditional office uses. There is not a record of negative impacts of the existing development since it was established 12 years ago.

**4. Is the proposed zoning change consistent with the purposes of the Zoning Ordinance?**

**A. Promotion of the public health, safety, and welfare:**

As noted above, it could be argued that the rezoning would support the objectives of the Township's Non-Motorized Transportation Plan to reduce vehicle trips, encourage physical activity via walking and biking, and improving air quality via the reduction in auto trips.

**B. The use of land be situated in appropriate locations and relationships:**

As noted above, the 2013 Comprehensive plan notes that "Office areas have been designated in some locations to provide a transition between incompatible land uses. It could be argued that in this case there are already established office developments separating the subject parcel from the residential neighborhood to the north and that these serve as an adequate transition. Thus, it is not necessary to maintain the subject parcel in an O, Office, zoning classification.

**C. To limit the overcrowding of land and congestion of population, transportation and other public facilities and to efficiently provide for public facilities and utilities:**



Traffic generated by allowing commercial uses on the site is not likely increase the traffic generated by the development significantly beyond what is currently being generated by the existing uses occupying the existing building.

The site is adequately served by public utilities and manned police and fire facilities are located within one mile of the subject parcel.

**D. To limit the improper use of land and provide for the orderly development of the Township while reducing hazards to life and property.**

Again, the 2013 Comprehensive plan notes that "Office areas have been designated in some locations to provide a transition between incompatible land uses. It could be argued that in this case there are already established office developments separating the subject parcel from the residential neighborhood to the north and that these serve as an adequate transition. Thus, it is not necessary to maintain the subject parcel in an O, Office, zoning classification.

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#### STAFF RECOMMENDATION

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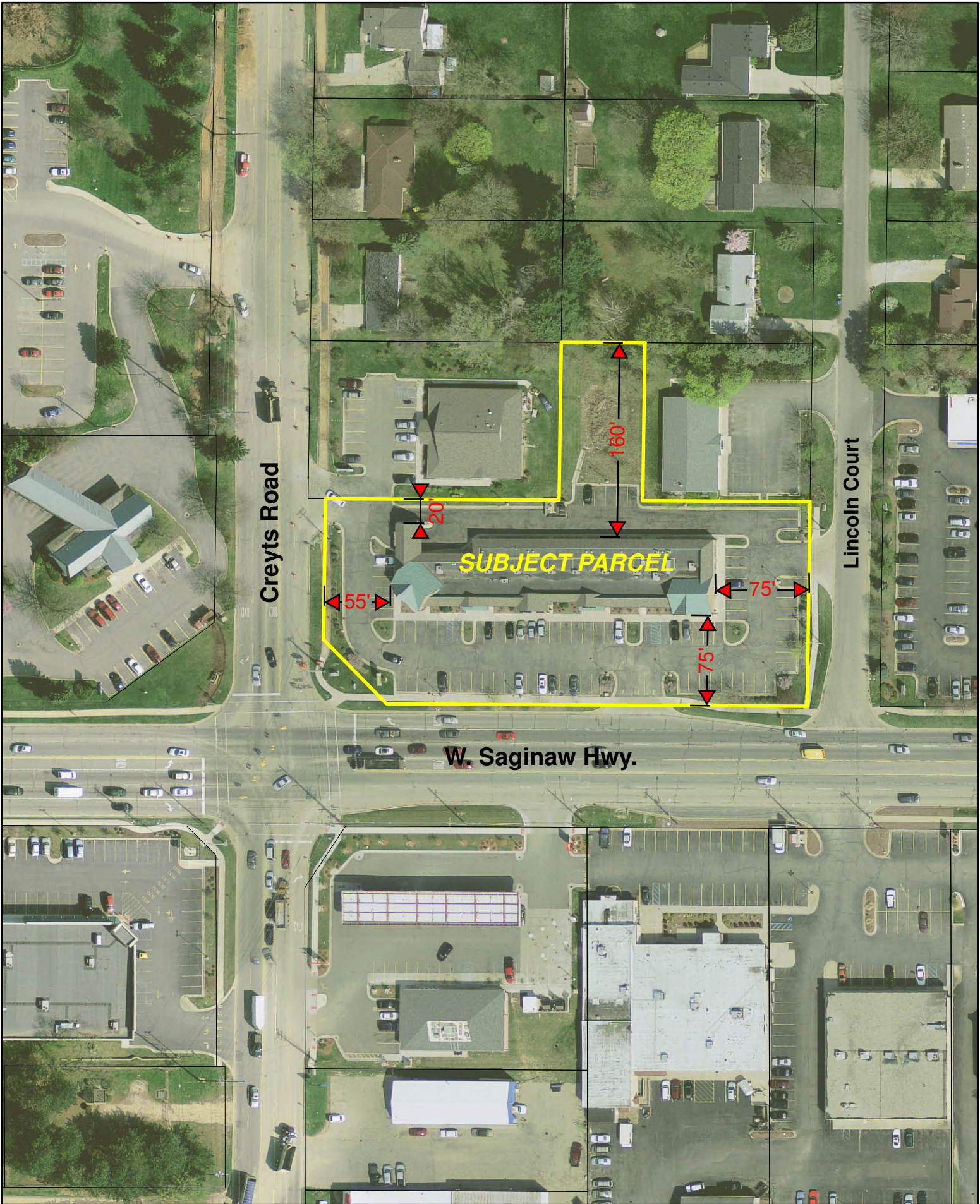
The following motion is offered for the Planning Commission's consideration:

"I move that the Delta Township Planning Commission recommend to the Delta Township Board **approval** of the request to rezone the property described in Case No. 2-14-4 from O, Office, to B2, Community Commercial, for the following reasons:

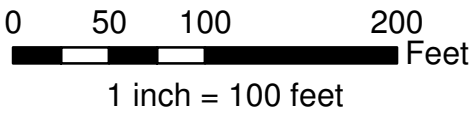
The rezoning request generally complies with the criteria specified for rezonings in Section 25.4.0 of the Delta Township Zoning Ordinance being that:

1. There are no physical limitations to development of the subject parcel for the uses permitted in the B2, Community Commercial, zoning district.
2. The rezoning is generally consistent with the recommendations of the Delta Township Comprehensive Plan.
3. The land uses permitted within the proposed B2, Community Commercial , zoning district would not significantly alter the existing character of the existing development on the subject parcel.
4. The existing development, which is essentially commercial in character, has not posed a nuisance or a threat to public health, safety, or welfare by reason of excessive generation of traffic, noise, dust, glare, odors, etc."





**Baryames Rezoning Request**  
**Case No. 2-14-04**  
**Aerial Location Map**







2-26-2014

Gary Bozek  
Assistant Director  
Delta Township  
7710 West Saginaw  
Lansing, MI 48917-9712

Regarding Rezoning of 6334 Saginaw

Dear Gary,

Please put this on record at the public hearing.

The property adjacent with Fed Ex located at 6240 West Saginaw is currently the same zoning as the parcel above.

That if 6334 West Saginaw is rezoned to B 2 Community Service we would request the same zoning change at 6240 West Saginaw Parcel #23-040-088-001-070-00.

Sincerely,

**STOCKWELL REAL ESTATE GROUP, INC.**

Kenneth B. Stockwell, CCIM, SIOR

President

CC. Delta Golden Partnership

Kenneth B. Stockwell, CCIM, SIOR  
President

Phone (517) 349-1900 • Fax (517) 349-5620  
4277 Okemos Road • Okemos, Michigan 48864  
E-mail: [info@stockwellproperties.com](mailto:info@stockwellproperties.com)



## MEMO

**TO:** Township Board  
Delta Charter Township

**FROM:** Gary Bozek, Assistant Director  
Community Development Department

**DATE:** April 14, 2014

**SUBJECT:** Review & Approval of St. Joe Holding Company, LLC Private Road

We are in receipt of a Preliminary Private Road Permit Application and associated plans (see attached) from St. Joe Holding Company, LLC (E.T. Mackenzie) for the construction of a private road to serve eight (8) metes and bounds parcels proposed to be created on 38.76 acres of land located in Section 18 of the Township (Parcel Nos. 040-018-300-101-00 & 040-018-300-140-00). The subject acreage is generally located on the north side of St. Joe Highway, approximately 1,600 feet west of Jerryson Drive. A copy of the road and parcel layout is attached for the Board's review. The property is zoned A2, Agricultural/Residential. Parcels created in the A2 zoning district must be at least two (2) acres in size and have 165 feet of frontage on a public or private road. All of the proposed parcels meet or exceed these requirements. Under the terms of the State of Michigan Land Division Act the property qualifies for the proposed eight (8) divisions.

The Township's private road regulations mandate that the private road be designed and constructed in accordance with certain design standards, and that it be reviewed and approved, as is applicable, by the Township's Engineering Division, Fire Department, and Utilities Departments; as well as the Eaton County Drain Commissioner's Office and Eaton County Road Commission.

The Township Engineer has reviewed the plans (see attached) and noted concerns with the soil conditions and as they pertain to the private road and sanitary sewer construction and will require soil borings and further measures to ensure the stability of the road. The Township Engineer is also requiring additional information regarding road drainage.

The development will be served by the Township's public sanitary sewer. The Township Engineer and Utilities Department have reviewed the utility plan and the Engineer has indicated the need for several revisions.

The Eaton County Drain Commissioner's Office has not yet commented, but a soil erosion and sedimentation control permit is likely to be required.

The Eaton County Road Commission must approve the intersection of the new private road with St. Joe Highway, as well as the work within the St. Joe Highway right-of-way for the utilities installations. The Road Commission has not yet commented on the proposed plan.

The Delta Township Fire Department has indicated that the roadway must have minimum width of 20 feet and a vertical clearance of 13½ feet. The cul-de-sac must have minimum improved turning

radius of 54 feet. The road must be designed to support an apparatus weight of 75,000 pounds, in all weather conditions (see attached). The turning radius must be increased by 5 feet and a notation must be added by the developer's engineer attesting to the ability of the road to support a vehicle weight of 75,000 pounds.

The Preliminary Private Road Permit is valid for two years, unless construction of the road is completed within this time period.

A maintenance agreement is also required. Provisions for maintenance are specified in the attached "Declaration of Easements, Covenants, Conditions, and Restrictions".

Board approval of the proposed land divisions is not necessary. These are reviewed and approved by the Planning Division and Assessing Department under the provisions of the Township's Land Division Ordinance and State of Michigan Law. The Board is only responsible for approving the private road permit.

A road name must be reviewed and approved by the Tri-County Regional Planning Commission (TCRPC) and the Eaton County Central Dispatch (911). The proposed name of the development is "Marion Meadows", but the TCRPC is not recommending that the road be named "Marion" due to duplicate names in the City of Lansing (see attached letter from TCRPC). TCRPC has found the names "Tobermory", "Talisker", and "Tormiston" acceptable.

The following motion is offered for Board's consideration:

I move that the Delta Township Board grant a Preliminary Private Road Permit to St. Joe Holding Company, LLC for the construction of the private road illustrated on plans prepared by Ziemnick Foster Engineering, LLC, dated September 12, 2013, for Parcel Nos. 040-018-300-101-00 & 040-018-300-140-00, in Section 18 of Delta Township. The granting of the Preliminary Private Road Permit subject to the following stipulations:

1. Approval of the road by the Eaton County Drain Commissioner's Office.
2. The plans shall be revised as per the requirements of the Township Engineer.
3. A road name shall be approved by the Tri-County Regional Planning Commission and the Eaton County Central Dispatch (911).
4. The road shall be designed and constructed as per the requirements of the Delta Township Fire Department's specifications.

Delta Township Board  
Re: St. Joe Holding Company, LLC Private Road  
April 14, 2014  
Page 3

5. The road shall meet the requirements of, and the applicable permits shall be obtained from, the Eaton County Road Commission
6. Approval for the proposed land divisions shall be obtained from the Township Planning Division and Assessing Department.
7. The required road maintenance provisions contained within the developer's proposed "Declaration of Easements, Covenants, Conditions, and Restrictions" shall be recorded at the Eaton County Register of Deeds Office.
8. Failure of the applicant to comply with any of the provisions required by the Delta Township Code of Ordinances pertaining to the private road, and/ or applicable sections of the Township Zoning Ordinance, or any stipulations herein required by the Delta Township Board, shall constitute grounds for termination of this Preliminary Private Road Permit by the Delta Township Board."

Please contact me if you have any questions.

/gb  
Attachments  
K:\PLANNING\GARY BOZEK\RPT\PVT ROADS\ET MACKENZIE SECTION 18\MACKENZIE PRIVATE ROAD.DOC

St. Joe Highway Holding Company, LLC  
4248 W. Saginaw Highway  
Grand Ledge, Michigan 48837

March 28, 2014

Delta Charter Township  
Planning Department  
7710 W. Saginaw Hwy.  
Lansing, MI 48917

HAND DELIVERED

RE: Private Road Application for 39 acre parcel on St. Joe Hwy., Section 18, Delta Twp.

Dear Mr. Graham:

Please find attached our Preliminary Private Road Permit Application for the above described parcel. This application is in advance of an application for a land division of the 39 acre property creating eight parcels in the A2 zoning district that will be serviced by the proposed private road. Also attached are the following documents for you review and approval:

- Full set of the construction plans for the proposed private road
- Our check # 1011 in the amount of \$150.00 for the review fee
- An electronic copy of the plans will be sent via e-mail
- A copy of the proposed restrictions for the development containing Section 9 outlining the Access Easement and Utility Easement and Maintenance protocol for the private road

Proposed road names have been sent to Eaton County Central Dispatch and the Tri-County Regional Planning Commission for their reviews. Copies of their replies will be forwarded to you upon our receipt.

If you have any questions or concerns with our proposal and application, please contact me at your earliest convenience. My direct line is (517) 622-2117. Thank you for your assistance in the creation of this proposed new neighborhood in Delta Township.

Sincerely,  
St. Joe Highway Holding Company, LLC  
One of the MacKenzie Companies



Ronald W. Clark,  
Project Manager

Attachments



Delta Charter Township  
Planning Department  
7710 W. Saginaw Hwy.  
Lansing, Michigan 48917

Preliminary Private Road  
Permit Application

Ph. 517-323-8560  
Fax 517-323-8599

Applicant

Name: ST. JOE HWY. HOLDING COMPANY, LLC  
(Last) (M.I.) (First)

Address: 4248 W. SAGINAW HWY. GRAND LEDGE, MI 48837  
(Street No.) (City) (State) (Zip)

Phone: 622-2117 627-4470  
(Home) (Office) (Fax)

Street Name TBD - TENTATIVE - MARION MEADOWS

Street Location SW 1/4 SECTION 18 ST. JOE HWY.  
(Section #) (Intersecting Street)

Applicant's Signature

Ronald W. Clark 3-27-14  
(Applicant) (Date)

I, the above signed, hereby acknowledge that by applying for and possibly obtaining a permit to construct a private road that I indemnify, save and hold Delta Township harmless from all claims for personal injury and/or property damage arising out of the failure to properly construct, maintain, repair, and replace the private road.

-----  
OFFICE USE ONLY

Filing Date: 3/28/2014  
Received By: GP  
Receipt No. 140394933

Check List  
Construction Plans ✓  
Maintenance Agmt. ✓  
Review Fee ✓



MARION MEADOWS  
Delta Township, Eaton County, Michigan

DECLARATION OF EASEMENTS, COVENANTS, CONDITIONS AND RESTRICTIONS

PROPERTY OWNER and DECLARANT: St. Joe Hwy. Holding Company, LLC  
a Michigan limited liability company, of  
4248 W. Saginaw Hwy.  
Grand Ledge, Michigan 48837

PROPERTY DESCRIPTION: The East  $\frac{1}{2}$  of the East  $\frac{1}{2}$  of the Southwest  $\frac{1}{4}$ , except the North 4 rods, Section 18, T4N, R3W, Delta Township, Eaton County, Michigan, (hereinafter referred to as "the Property" or "the Development").

WHEREAS, the aforesaid real Property consists of a tract of land upon which Declarant desires to create a neighborhood of single family residential parcels and to erect single family dwellings together with a private road, municipal sewer and other developmental improvements; and

WHEREAS, Declarant will sell and convey parcels, as the term is hereinafter defined, in the Development, subject to certain easements, protective covenants, conditions, restrictions, reservations, liens and charges as hereinafter set forth, to its customers (hereinafter "Owners"); and

NOW THEREFORE, Declarant hereby declares that all of the above described Property is hereafter subject to the following easements, covenants, conditions, and restrictions, all of which are for the purpose of enhancing and protecting the value, desirability, and attractiveness of the real Property. These easements, covenants, conditions and restrictions, (hereinafter referred to as "Declarations") shall run with the real Property and shall be binding on all parties having or acquiring any right, title or interest in the Property and shall inure to the benefit of each Owner, their respective legal representatives, heirs, grantees, successors and assigns thereof.

1. These Declarations, including amendments hereto, shall apply to all parcels created from the Property in perpetuity. A Parcel is described as an area of real property, land, created from the Property under the Land Division Act of the State of Michigan, (PA 288 of 1967, as amended, formerly known as the Subdivision Control Act). All Parcels may hereinafter be referred to collectively as "the Neighborhood".
2. No primary building shall be constructed, erected, maintained, used or altered to be used, upon any part of the Development for any purpose other than that of a single family residential dwelling with attached garage, (hereinafter referred to as a "Dwelling").

3. No Dwelling with attached garage, or accessory building, or other structure of any character or driveway or fence shall be erected, constructed or maintained on any Parcel within the Development unless and until two copies of the specifications and plans showing the nature, kind, shape, height, materials, floor plans, exterior color scheme, front, rear and both side elevations and the location upon and grading plans of the Parcel to be built upon, shall have been submitted to and approved in writing by the Declarant or its duly authorized agent, and a copy thereof, as finally approved, lodged permanently with the Declarant. All Parcels shall be limited to the construction and maintenance of one Dwelling and a maximum of two additional accessory buildings or structures or combination thereof. The Declarant shall have the right to decline to approve any such plans and specifications submitted for any Dwelling, accessory building or other structure which is not suitable or desirable, in its sole discretion or opinion, for aesthetic or other reasons, taking into consideration, among other things, the effect of the Dwelling or other structures as planned on adjacent or neighboring Parcels, and whether the plans are in keeping with and are in general harmony with the Neighborhood as a whole. Plans and specifications for new homes shall have the written approval of the Declarant prior to the start of construction. Plans and specifications for additions to, or alterations of, existing Dwellings, accessory buildings and structures in the Development shall be reviewed and approved by the Declarant and Delta Charter Township when applicable.
4. The Declarant in granting approval of submitted plans shall retain one of the copies submitted by Owner or builder while returning the other copy with written evidence of approval or approval with modifications. The Declarant will not be responsible for any defects, of any type, in such plans or specifications or in any building or structure erected according to such plans and specifications. All governmental agency building requirements must be followed by the Owner and builder.
5. The Owner or builder shall be responsible for all building permits, connecting fees, soil or material testing and any inspection fees of any kind relating to the construction of the dwelling and its appurtenances. The Declarant will at all times have access to the work site and be allowed to review all work and material as to compliance with the approved plans only.
6. The following minimum standards shall apply to each Dwelling. The square footage indicated below refers to gross building size which shall include all the area enclosed by and including the exterior walls of the building but shall exclude any area in garages, open terraces, decks, porches, breezeways and basements or finished lower levels.

Ranch style house	1600 square feet
One and One-half story house	1800 square feet with 1000 square feet on first floor
Two story house	2000 square feet with 1000 square feet on first floor

First floor means the floor level above the foundation walls and generally above the elevation of the street. The Declarant, in its sole discretion, may grant variances of up to 5% of the minimum gross building size.

The front elevation of all houses built in the Development shall have a minimum of 35% of the front elevation constructed of brick, stone, stucco or other approved masonry construction, the remainder of the front elevation shall be constructed of natural materials. The Declarant, in its sole discretion, may waive the masonry requirement for houses of exceptional or true classical architectural design.

7. Minimum primary building ("Dwelling") setbacks shall be as follows:
 

Front yard setback	50 feet from all access easement lines
Side yard setback	25 feet
Rear yard setback	50 feet

 Minimum accessory buildings and structures setbacks shall be as follows:
 

Front yard setback	50 feet from all access easement lines
Side yard setbacks	12 feet
Rear yard setback	25 feet
8. The Owner shall be fully responsible for the construction and maintenance of the onsite water supply system as approved by the Barry-Eaton District Health Department and onsite components of the sanitary sewer disposal system as approved by Delta Charter Township.
9. The Declarant shall create and incorporate an Association of Owners the purpose of which shall be the administration of these Declarations. Initially the Declarant shall be the only member and Manager of the Association. Upon purchase of one or more Parcels, the Parcel Owner shall automatically become a member of the Association.
10. The Declarant hereby creates, establishes and grants the following two easements upon, through and across the Property, and subsequently individual Parcels, for the mutual use and benefit of the Declarant and all future Owners of Parcels created from the Property, their respective legal representatives, heirs, successors, assigns, agents, guests and invitees; AND Delta Charter Township; AND all public and private utility companies franchised, or otherwise recognized by the Township to provide various utilities to service the Parcels from time to time, the non-exclusive perpetual right to use the Easements for their stated use, drainage and private driveway purposes. The foregoing Easements and conditions are to be observed in perpetuity and excluded from any time limitation.
  - A. Access Easement – A 30 foot wide Easement for ingress and egress in part of the Southwest fractional quarter of Section 18, T4N, R3W, Delta Township, Eaton County, Michigan, being 15 feet on each side of and coincident with the following described centerline:  
 Commencing at the South One-Quarter corner of said Section 18; thence N89°13'48"W along the South line of said Section 18 a distance of 309.71 feet; thence N00°20'09"E a distance of 50.00 feet to the North Right of Way Line of St. Joe Hwy and the point of beginning; thence continuing N00°20'09"E a distance of 356.92 feet; thence Northwesterly a distance of 260.99 feet along a 400.00 feet radius curve to the left, having a central angle of 37°23'06" and a chord bearing N18°19'20"W a distance of 256.39 feet; thence Northerly a distance of 260.24 feet along a 401.50 feet radius curve to the right, said curve having a central angle of 37°08'16" and a chord bearing N18°22'24"W a distance of 255.71 feet; thence N00°13'48"E a distance of 148.60 feet to Reference Point "A" and the point of ending. The sidelines of said easement to be extended or shortened to commence on the North Right of Way Line of St. Joe Hwy., meet at all angle points and points of tangency, and to terminate on the Southerly arc of a circle having a radius of 60.00 feet the center of said circle being the above described Reference Point "A". And, those portions

of Parcel 3, Parcel 4, and Parcel 8 included within the circumference of a circle having a radius of 60.00 feet, the center of said circle being the above described Reference Point "A". The arc of said circle to commence on the West sideline and proceed clockwise and terminate on the East sideline of the above described Access Easement.

- i. The cost of maintaining the Easement and private road therein, including but not limited to, grading, snowplowing, patching, repaving and purchasing and maintaining liability insurance, shall be born solely and equally by the Owners of each of the Parcels created from the Property with each share being equal to the annual cost of maintenance divided by the total number of occupied Parcels created from the Property. The Owner of a Parcel shall not be responsible for a share of the cost of maintenance, except the liability insurance portion, until said Owner, his heirs, successors or assigns, begin construction of a Dwelling, accessory building or other structure on said Parcel.
- ii. Any repairs or other improvements to the Easement and road necessitated as a result of construction on one of the Parcels or directly resulting from use by the Owner(s) of one or more of the Parcels or their respective legal representatives, heirs, successors, assigns, agents, guests or invites shall be paid by the Owner(s) of said Parcel(s).
- iii. All repairs and/or improvements to the Easement and private road shall require the prior consent of a majority of the Owners of the occupied Parcels, except that repairs only, and the sharing of related costs, may be ordered by a Resolution passed by the Trustees of Delta Charter Township.
- iv. The Owners, and other grantees as a condition of their use, agree not to park or store any vehicles, trailers, motorhomes, or equipment or materials of any kind upon the Easement and that their respective use of the Easement will not unreasonable interfere with the use of the Easement by any other Owner or grantee, its heirs, successors, assigns, agents, guests or invitees.
- v. Assessments for the annual maintenance costs of the Access Easement shall be administered through the Association of Owners.

- B. Utility Easement – A 50.00 foot wide Easement for public and private utilities in part of the Southwest fractional quarter of Section 18, T4N, R3W, Delta Township, Eaton County, Michigan, being 25 feet on each side of and coincident with the following described centerline:

Commencing at the South One-Quarter corner of said Section 18; thence N89°13'48"W along the South line of said Section 18 a distance of 309.71 feet; thence N00°20'09"E a distance of 50.00 feet to the North Right of Way Line of St. Joe Hwy and the point of beginning; thence continuing N00°20'09"E a distance of 356.92 feet; thence Northwesterly a distance of 260.99 feet along a 400.00 feet radius curve to the left, having a central angle of 37°23'06" and a chord bearing N18°19'20"W a distance of 256.39 feet; thence Northerly a distance of 260.24 feet along a 401.50 feet radius curve to the right, said curve having a central angle of 37°08'16" and a chord bearing N18°22'24"W a distance of 255.71 feet; thence N00°13'48"E a distance of 148.60 feet to Reference Point "A" and the point of ending. The sidelines of said easement to be extended or shortened to commence on the North Right of Way Line of St. Joe Hwy., meet at all angle points and points of tangency, and to terminate on the Southerly arc of a circle having a radius of 70.00 feet the center of said

circle being the above described Reference Point "A". And, those portions of Parcel 3, Parcel 4, and Parcel 8 included within the circumference of a circle having a radius of 70.00 feet, the center of said circle being the above described Reference Point "A". The arc of said circle to commence on the West sideline and proceed clockwise and terminate on the East sideline of the above described Utility Easement.

- i. The Westerly 10 feet and the Easterly 10 feet of the Utility Easement are further established as vegetated drainage swales and non-exclusively reserved for surface drainage of the roadway and Parcels. Construction and maintenance of underground utilities within the Utility Easement shall respect the use and condition of the Access Easement and drainage purpose and condition of the Utility Easement. Any and all damage created by the construction or maintenance of any underground utilities to the roadway or drainage swales shall be immediately repaired by the responsible grantee as a condition of their use.
  - ii. Any repairs to the Easement and drainage swales necessitated as a result of construction on one of the Parcels or directly resulting from use by the Owner(s) of one or more of the Parcels or their respective legal representatives, heirs, successors, assigns, agents, guests or invites shall be paid by the Owner(s) of said Parcel(s).
  - iii. Construction of private driveways crossing through the Utility Easement shall include the installation of a culvert under the driveway to facilitate drainage.
  - iv. The primary main portion of the public sanitary sewer system shall be built in the Easterly 10 feet of the Utility Easement. The primary distribution lines of the electrical, gas, communication and other systems shall occupy the Westerly 10 feet of the Utility Easement. Lateral secondary branches of the systems shall cross through and under the Access Easement and roadway in conduits.
  - v. All general maintenance or repairs of the drainage swales shall require the prior consent of a majority of the Owners of the occupied Parcels and shall be administered through the Association of Owners.
11. The Owner or builder shall purchase and maintain insurance that will protect him/her from claims set forth during the construction period, which may arise as a result of the contractor's execution of the work, whether such execution be by himself or by any subcontractor or by anyone directly or indirectly employed by any of them, or by anyone whose acts may hold them liable. Declarant shall be named as additionally insured on the insurance policy. The Owner or builder shall be responsible for the security and safety of the work under construction and for protecting the public from damages or injury caused by the construction work.
12. In the event any buildings are destroyed upon any of the Parcels within the Development, the same shall be rebuilt or repaired to its original plans and specifications or such plans and specifications as may be approved by Declarant, within ten (10) months of destruction of such buildings.
13. In the event any building is totally or partially destroyed and not rebuilt as required herein, or in the event the structure shall remain incomplete beyond the time required for completion in the preceding section of these Declarations for any reason, Declarant may come upon the Parcel and complete the structure as provided in the plans and drawings

relative thereto and may do any other thing to enhance the structural safety of such structure and the security thereof and charge the same to the Owner.

14. Alternatively, the Declarant may remove any structure if such removal be deemed by the Declarant in its exclusive discretion to be cheaper or more desirable or both. All cost expended by Declarant in completing, partially completing, or removing any structures under this section of the Declarations or any section referred to herein, including reasonable cost of collection of such funds thus expended, shall be chargeable to the Owner and shall become a lien upon Owner's Parcel immediately upon commencement of any such improvement, completion, alteration, or removal.
15. If the party which purchased a Parcel defaults for any reason, the Declarant reserves the Right of First Refusal to purchase the property for the wholesale value of the property, including any improvements or structures.
16. Owner shall install and maintain a minimum of eight pieces of evergreen-type shrubbery as foundation plantings and three deciduous trees (2.5 inches diameter min.) (both referred to herein as plantings) in the front and/or side yards. All driveways shall have a concrete or asphalt surface or alternative hard surface material approved by Declarant.
17. Any building or structure approved by the Declarant shall be completed in accordance with the plans submitted to the Declarant and shall comply with any applicable ordinance or permit requirements of Delta Township. To help insure a desirably appearing neighborhood and protect property values, once a Parcel has been purchased by either a builder or private party, construction of a house shall begin within a twelve (12) month period and be completed within a six (6) month period from the start of construction.
18. The term "completed" shall include finish grading, installation of plantings, and seeding of lawn areas to the property line. Declarant may make exceptions to this seeding and planting time period requirement if in its opinion adverse seasonal weather prevails. In such an event, the Owner or builder will deposit with Declarant monies for seeding and planting to be completed when weather conditions permit. Upon completion of seeding and plantings by Owner or builder Declarant will return deposited monies. In the event that Owner or builder does not accomplish plantings and seeding and within a reasonable time period, Declarant may use deposited monies for such.
19. No house trailer, camping trailer, commercial vehicle, boat trailer, boat, plane, recreational vehicle, truck camper, other vehicle, or construction equipment, or the like may be parked on or repaired on or stored on any Parcel in the Development, unless stored, repaired or parked within an enclosed approved structure or the attached garage. Commercial vehicles and trucks shall not be parked in the Development or on any Parcel therein, except while making normal deliveries or pickups in the normal course of business.
20. No noxious, dangerous or offensive activity shall be carried on or permitted upon any Parcel, nor shall anything be done or permitted thereon which may be or may become an annoyance or nuisance to the inhabitants of the neighborhood.

21. No garbage, trash, paper, or man-made materials of any type shall be disposed of by outside incineration at any time. No garbage or trash containers shall be located in the front or side areas of any Parcel for more than one twenty-four hour period in a week.
22. All excess earth excavated within the boundaries of each Parcel and not needed by the Parcel Owner for developing the Parcel, must be deposited at a place specified by the Declarant which may or may not be within the limits of the Development. Cost incurred for moving excess materials are to be paid for by the Parcel Owner or builder and not the Declarant.
23. No animals, livestock, poultry or bees of any kind shall be raised, bred, kept or boarded on any Parcel, except that dogs, cats, or other commonly construed household pets may be kept in reasonable controlled numbers on any Parcel. All domestic house pets must be maintained so that offensive odors or noise will not be apparent to adjoining property Owners and must be controlled as to prevent damage to other properties within the development. Outside animal kennels are not permitted. Domestic house pets are not allowed to remain outside overnight. In the event that a dispute arises as to what constitutes a reasonable household pet or number thereof, the Declarant, in its discretion, shall have sole determination.
24. No fences of chain link, unless brown or black vinyl coated, or wire construction shall be erected on any Parcel in the Development. Parcel property line fences of wood, vinyl, brick or stone, may be erected, provided, however, that no such fence exceeds fifty-four inches in height, that such fence is generally located no further forward than the rear wall of the dwelling, and that said fence or property line shrubbery hedges be first approved by the Declarant. Any Owner requesting approval of a fence agrees to comply with any related ordinance or permit requirements of Delta Charter Township.
25. No advertising, billboard or real estate sign offering individual Parcels or homes for sale, in excess of eight square feet in size, shall be permitted on the Development. The Declarant may display signs to generally advertise Parcels for sale that are no greater than 32 square feet in size.
26. No permanent poles or appliances upon which to hang or expose laundry shall be erected or maintained in the Development.
27. No freestanding outdoor lights, or lights affixed to a dwelling or structure are permitted to be over sixteen feet above finish grade elevation. Size, wattage and orientation must be such not to impose a nuisance to nearby Parcels.
28. All swimming pools shall be approved by the Declarant as to the size, location, and enclosure. Any Owner requesting approval of a swimming pool agrees to comply with any related ordinance or permit requirements of Delta Charter Township.
29. There shall be no outside receiving or transmitting antennae. No satellite dishes in excess of eighteen inches in diameter shall be allowed in the Development. Any approved dishes are to be installed so as not to distract the view from the street or adjoining properties. There shall be no towers, derricks, etc. erected for any other purpose.

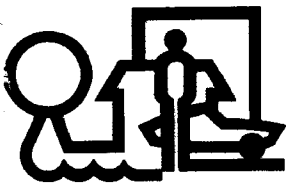
30. The Owners of occupied and unoccupied Parcels within the Development shall at all times keep and maintain the same in an orderly manner, causing weeds and other growth to be seasonably cut, prevent accumulation of rubbish and debris and, in general, to maintain such Parcels in a sightly condition consistent with the high standards of the Development. Should any Owner or Owners violate the provision described herein, the Declarant shall have the right to cause the Parcel or Parcels to be placed in an orderly manner and charge the actual and reasonable cost of such work to the Owner or Owners of record who shall promptly pay the same upon being billed.
31. Notwithstanding anything to the contrary herein, the Declarant, in its sole discretion, may waive or permit reasonable modifications of the covenants, conditions, and restrictions as applicable to particular Parcels.
32. All costs incurred in enforcing any conditions of this Declaration, including reasonable attorney's fees, will be reimbursed by the Owner of the Parcel in breach of the Covenants, Conditions, and Restrictions to the Declarant, Association of Owners or the individual Parcel Owners enforcing said provisions.
33. Payment for all reimbursable costs incurred by the Declarant, as provided in these Declarations, shall be due and payable thirty (30) days after receipt of a statement therefore, which statement shall detail the reimbursement sought, the manner of its calculation, and evidence of payment of the reimbursable costs. Any such claim for reimbursement, together with interest at the rate of eight percent (8%) per annum and actual cost including attorney's fees incurred in efforts to collect such reimbursement, shall be a secured right and a lien therefore shall attach it to the Parcel, and improvements thereon, owned by the defaulting Parcel Owner. After written notice to all Owners of record and all mortgagees of record of the Parcel, the party that has paid such costs may foreclose the lien established hereby in the same manner as a mortgage may be foreclosed under the laws of the State of Michigan, provided such liens shall be subject and subordinated to any prior mortgage of record with any Owner at any foreclosure sale (as well as any grantee by deed in lieu of foreclosure sale) under any such prior mortgage taking title free and clear from any such then existing lien, but otherwise subordinated to the provision.
34. No delay or omission on the part of the Declarant or the Owners of other Parcels in exercising any rights, power, or remedy herein provided, will be construed as a waiver therefore or acquiescence in any breach of assurances. No right of action will accrue nor will any action be brought or maintained by anyone whatsoever against the Declarant for or on account of a failure to bring any action on account of any breach of these assurances, or for imposing assurance which may be unenforceable.
35. Declarant's review of building plans pursuant to the provisions of this Declaration are intended only to create an aesthetically pleasing development and to promote and protect property values of all Parcel Owners. THIS REVIEW SHALL NOT IMPOSE UPON DECLARANT, DIRECTLY OR INDIRECTLY, ANY DUTY TO REVIEW PLANS TO ASSURE THEIR COMPLIANCE WITH ANY LOCAL, STATE OR FEDERAL LAWS, STATUTES, ORDINANCES AND/OR REGULATIONS. DECLARANT SHALL HAVE NO LIABILITY OF ANY SUCH LOCAL, STATE, OR FEDERAL LAWS, STATUTES, ORDINANCES AND/OR REGULATIONS.



36. During development of the Property, Declarant intends to retain control of the administration of these restrictions. The Declarant intends, upon the occupancy of seventy-five percent (75%) of the Parcels in the Development, to transfer administration of these restrictions to an Association of Owners to be created by the Declarant or in the absence of such, by the
37. Parcel Owners. The Declarant may, however, in its discretion, retain administration of all or any portion of these restrictions until it no longer holds a title interest in any part of the Property. Declarant may also, in its discretion, at any time, transfer or assign its rights hereunder, in whole or in part, to any other person or legal entity. Any successor or assignee shall automatically accede to the transferred rights of the Declarant under these restrictions.
38. The covenants, conditions and restrictions of this Declaration shall run with and bind the land, and shall inure to the benefit of and be enforceable by the Owner of any Parcel subject to this Declaration, their respective legal representatives, heirs, successors and assigns, for a term of thirty (30) years from the date this Declaration is recorded, after which time said covenants, conditions and restrictions be automatically extended for successive periods of ten (10) years. The covenants, conditions and restrictions of this Declaration may be amended during the first thirty (30) year period by an instrument signed by not less than ninety percent (90%) of the Parcel Owners, and thereafter by an instrument signed by not less than seventy-five percent (75%) of the Parcel Owners. Any amendments must be properly recorded. Violation of any of the provisions contained herein is hereby declared and agreed to be a nuisance, which may be remedied by appropriate legal proceedings. The failure to enforce or restrain the breach of any provision herein contained shall in no way be deemed a waiver of the right to enforce or restrain such breach, or any future breach, or as a waiver of such provision.
39. Invalidity of any one of these covenants by judgement or court order shall in no way affect any of the provisions, which shall remain in full force and effect.

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# TRI-COUNTY REGIONAL PLANNING COMMISSION

Planning for the Mid-Michigan Region Since 1956

## 2014 OFFICERS

### CHAIRPERSON

Brian McGrain, Ingham County

### VICE-CHAIRPERSON

David Pohl, Clinton County

### TREASURER

Kenneth Fletcher, Eaton County

### SECRETARY

Ralph Monsma, CATA

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### EX-OFFICIO

City of Lansing Mayor  
Clinton, Eaton and Ingham  
County Chairpersons

### EXECUTIVE DIRECTOR

Susan M.C. Pigg, CECD

March 31, 2014

Ronald W. Clark  
Project Manager  
St. Joe Highway Holding Company, LLC  
4248 W. Saginaw Highway  
Grand Ledge, MI 48837

Re: Street name check for the development of a residential neighborhood in Eaton County located in Section 18, Delta Township on the north side of St. Joe Hwy, one-half a mile west of Nixon Road.

Dear Mr. Clark:

This letter will serve as official notification that the following street names have been checked against the master file for duplicate, partial duplicate and/or sound-alike names. Following is the result of that review. **Please let us know which name is approved by the local unit of government so it can be entered into our database.**

**Tobermory, Talisker, Tormiston** – No duplicate, and/or sound-alike names were found.

**Marion** – We do not recommend use of this name because of duplicate street names already in use in the City of Lansing.

**Kinlough** – We do not recommend use of this name because of a sound-alike street name in Delhi Charter Township.

**Kezie Glen** – We do not recommend use of this name because of partial duplicate street names already in use throughout the region.

When conducting a street name check we must consider the region as a whole as opposed to smaller areas such as cities, townships, counties, etc. Although currently the 911 Emergency System does not encompass the entire region, it could in the future. Sound-alike and duplicate names could create problems if the 911 system ever includes the entire region or if any 911 systems combine. The Policies Governing the Naming of Streets also states "...streets with partially duplicated names (such as JOHN STREET and JOHN R. STREET) should be discouraged."

3135 Pine Tree Road, Suite 2C  
Lansing, MI 48911  
(517) 393-0342 • Fax: 393-4424  
[www.mitcrpc.org](http://www.mitcrpc.org)  
[reception@mitcrpc.org](mailto:reception@mitcrpc.org)

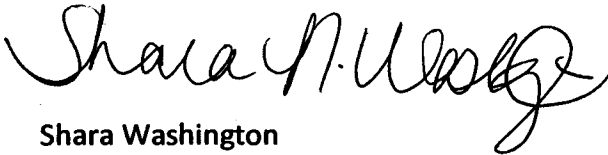
TCRPC is an Equal Opportunity Employer

Mr. Ronald Clark  
March 31, 2014  
Page 2

This letter does not approve or disapprove your street name request. The Tri-County Regional Planning Commission (TCRPC) maintains a database of street names in the Tri-County region of Clinton, Eaton and Ingham Counties. Upon receipt of your request, the database is checked for duplicate, partial duplicate and/or sound-alike names. The TCRPC's role in street naming is advisory to the local governmental jurisdictions that have the authority to grant or deny street name requests.

Thank you for your continued cooperation of the region's street naming program. If we can be of further assistance, please do not hesitate to contact us.

Sincerely,

A handwritten signature in black ink, appearing to read "Shara N. Washington". The signature is fluid and cursive, with the first name "Shara" being the most prominent.

Shara Washington  
Administrative Assistant

Cc: Delta Charter Township  
Eaton County Road Commission  
Eaton County Central Dispatch 911  
File

## MEMO

TO: Gary Bozek, AICP, PCP  
Assistant Director, Community Development

FROM: Gary Arnold, P.E., Township Engineer

DATE: April 3, 2014

SUBJECT: Utility and Road Plan Review Comments  
St. Joe Highway Holding Company Site Development



In response to your request, we have reviewed the engineering plans and proposed Declaration of Easements, Covenants, Conditions and Restrictions for the subject project, prepared by Ziemnick Foster Engineering, Inc. and the developer respectively, and offer the following comments.

### Private Road Construction

1. I reviewed the proposed road construction referencing ARTICLE III, PRIVATE ROADS in Chapter 34 of the Township's Code of Ordinances and information provided on the engineering plans.
2. The proposed road construction traverses a section of Houghton Muck soils, from approximately station 6+80 to 11+00. The developer should provide soil borings or test pits in this area to determine the soil conditions and the impact on the proposed road and utility design. The plans do not indicate whether subgrade undercut or other measures are proposed to provide a stable base for the road and utility construction.
3. The Township Ordinance requires that the sand subbase provided for areas of road constructed over impervious soils be drained. The plans do not indicate how the sand subbase is to be drained.
4. Although not directly related to the road construction, we noted that the roadside ditch discharge along the east side of the private drive at approximately station 6+00 may discharge/sheet flow across Parcels 4 and 5 to the proposed detention area.

### Sanitary Force Main Construction

5. As previously discussed with the developer, Delta Township will be responsible for the maintenance of the proposed force main within the St. Joe Highway right-of-way. The developer or successor entity will be responsible for maintenance of the private systems, including the force main within the development.

11. Declaration of Easements, Covenants, Conditions and Restrictions

- a. Paragraph 8: The following sentences should be added to the paragraph, essentially worded as follows:

“The maintenance responsibilities of the force main within the easements along the private road shall be the responsibility of the Declarant or other successor entity. Delta Charter Township’s maintenance responsibility is limited to the force main pipe, cleanout/flushing structures and air release structures within dedicated public road rights-of-way.

- b. Paragraph 10.B.iv, delete the word “public” sanitary sewer and substitute the word “private” in the first line.

If there are any questions on the above, please let me know.

cc: Tom Morrissey, Utilities Director  
Rick Kane, Deputy Utilities Director

## Gary Bozek

---

**From:** Mike Roberts  
**Sent:** Monday, April 14, 2014 12:04 PM  
**To:** Gary Bozek  
**Subject:** RE: E.T. Mackenzie Private Road Permit Application  
**Attachments:** Figure 4.jpg

Gary,

The FD has the following requirements with regards to fire apparatus access and turnarounds:

- Roads must have an unobstructed width of not less than 20' and a height of 13'6"
- Surface must be capable of supporting an imposed load of fire apparatus weighing at least 75,000 lbs.
- Attached is the required distances and radii for our apparatus.

If you have any questions or concerns, please do not hesitate to contact my office.

Thank you.

Michael Roberts, Fire Inspector/EMT-P  
Delta Township Fire Department  
811 N. Canal Rd.  
Lansing, MI 48917  
Main Office: 517.321.6622  
Direct Office: 517.816.8162  
Mobile: 517.204.4789

Confidentiality Notice: This message, including any attachments, is intended solely for the use of the named recipient(s) and may contain confidential and/or privileged information. Any unauthorized review, use, disclosure or distribution of any privileged and/or confidential information contained in this communication is expressly prohibited. If you are not the intended recipient, please contact the sender by reply e-mail and destroy any and all copies of the original message.

---

**From:** Gary Bozek  
**Sent:** Monday, March 31, 2014 9:37 AM  
**To:** Gary Arnold; John Clark; Mike Roberts; Thomas L. Morrissey; Blair E. Ballou ([BBallou@EatonCountyRoad.com](mailto:BBallou@EatonCountyRoad.com)); Matt Hannahs ([MHannahs@EatonCountyRoad.com](mailto:MHannahs@EatonCountyRoad.com)); [rwagner@eatoncounty.org](mailto:rwagner@eatoncounty.org); [jperry2@eatoncounty.org](mailto:jperry2@eatoncounty.org)  
**Cc:** [rclark@mackenzieco.com](mailto:rclark@mackenzieco.com)  
**Subject:** E.T. Mackenzie Private Road Permit Application

Gentlemen,

Attached please find attached plans for a proposed metes and bounds development on a total of 38.57 acres located on the north side of St. Joe Highway approximately 1,620 feet west of Jerryson Drive, essentially being the East 1/2 of the East of the 1/2 of the Southwest 1/4 of Section 18 in Delta Township (Parcel Nos. 040-018-300-140-00 & 040-018-300-101-00). Proposed are seven 2-acre parcels and one 23 acre parcel to be served by a private road (Marion Meadows). The developer is St. Joe Holding Company, LLC (E.T. Mackenzie).

Delta Township's private road regulations (also attached) require that all private roads be reviewed by various Township departments and Eaton County agencies for compliance with applicable regulations as follows:

Eaton County Road Commission: Approval and permit for the private road ingress/egress design and location at its intersection with St. Joe Highway, as well as permission to work within the St. Joe Highway right-of-way for utilities installations.

Eaton County Drain Commissioner: Approval of the private road drainage plan and issuance of soil erosion and sedimentation control permit.

Delta Township Fire Department: Approval of road design as it pertains to emergency vehicle access.

Delta Township Engineering Division: Approval of the road design with respect to standards contained in private road regulations. Approval of utilities design & locations.

Delta Township Utilities: Approval of sanitary sewer provisions.

Would you please review the attached plans with respect to your applicable rules and regulations and let me know if any revisions are required. The Township Board will review the private road permit at its April 21<sup>st</sup> meeting. I would appreciate it if you could provide me with your comments by April 14<sup>th</sup> so that I may include them in my report to the Board.

Please do not hesitate to contact me if you have any questions. Thank you for your time and effort.

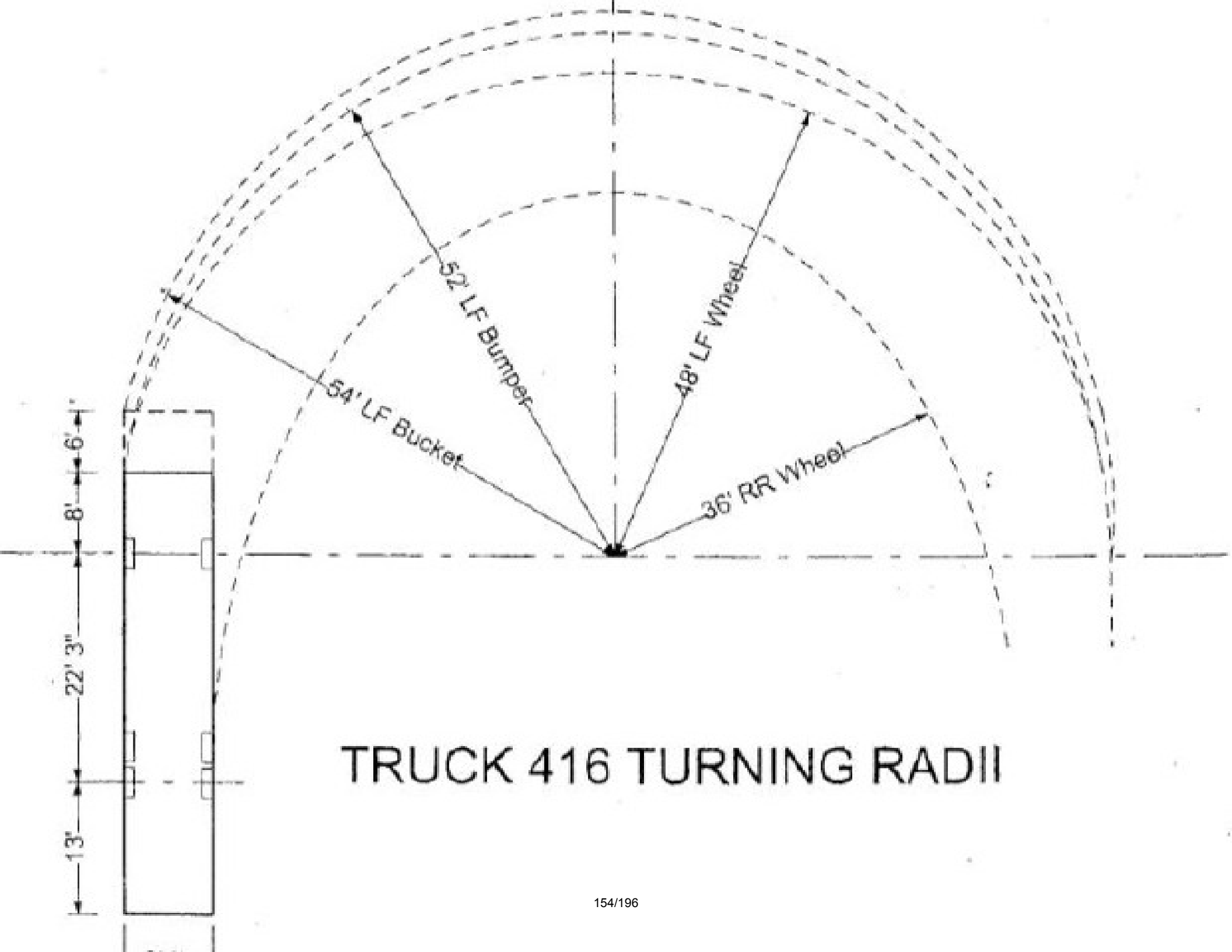
Gary



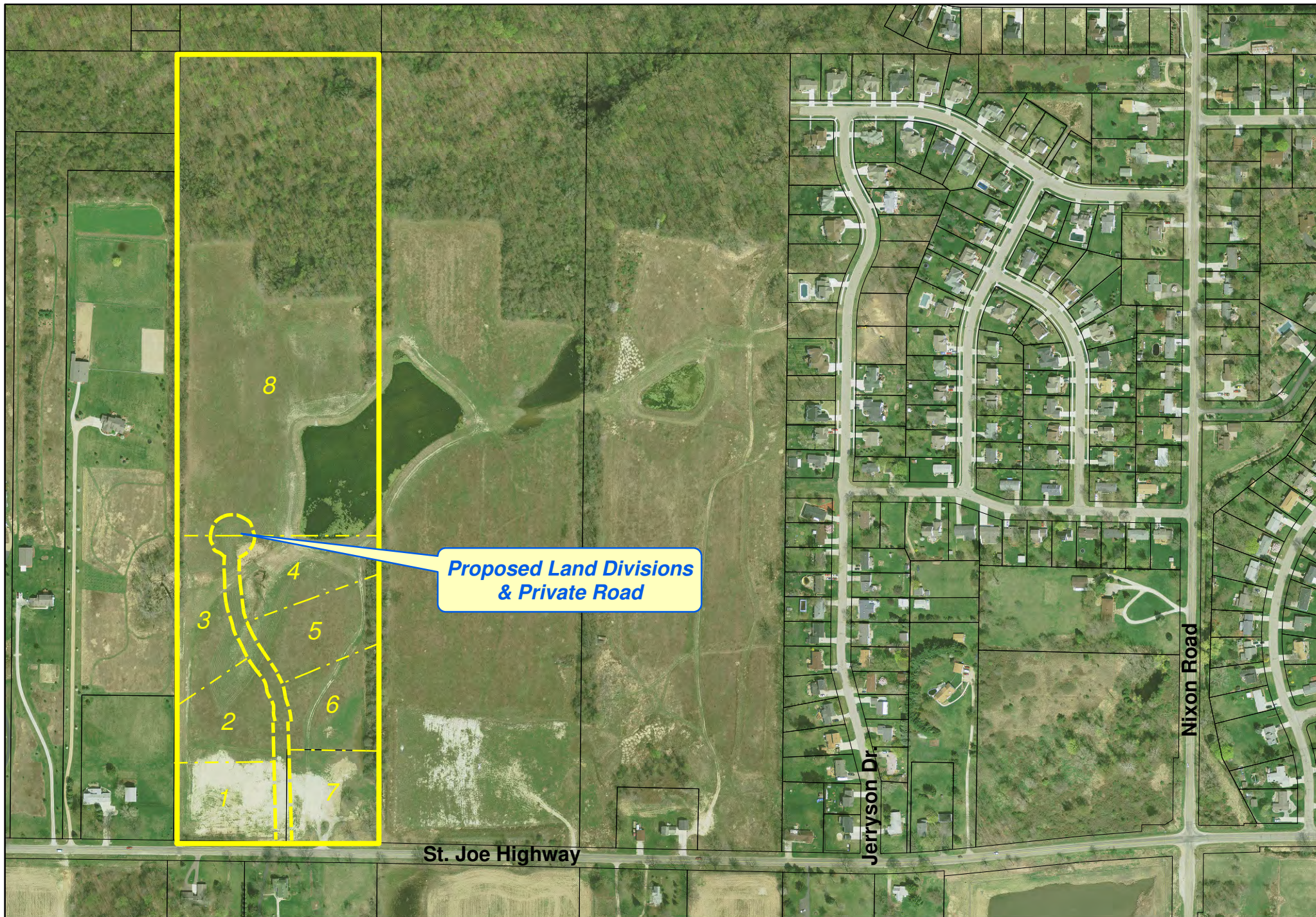
**Gary M. Bozek, AICP, PCP**  
**Assistant Director**  
**Community Development Department**  
**Delta Charter Township**  
**7710 West Saginaw Highway**  
**Lansing, Michigan 48917-9712**

**Phone:** 517.323.8560  
**Fax:** 517.323.8599  
**E-mail:** [gbozek@deltami.gov](mailto:gbozek@deltami.gov)  
**Web:** [www.deltami.gov](http://www.deltami.gov)









**St. Joe Holding Company, LLC**  
**Private Road Permit Application**  
**Aerial Location Map - Section 18**



155/196

0 200 400 800 1,200 Feet

1 inch = 400 feet

Date of Photography: April 2010






156/196





TO: Richard Watkins, Township Manager  
FROM: Tom Morrissey, Utility Director   
DATE: April 21, 2014  
SUBJECT: Recommendation To Purchase Fine Bubble Diffusers

Our Waste Water process requires removal of Ammonia by using Activated Sludge Treatment. This is where air is circulated in the sewage to transfer oxygen to the microorganisms. We have 6 Aeration Tanks with grids of diffusers. The diffusers life expectancy is 12 to 14 years. The tanks were outfitted in 1985, and replaced in 2001. Again the diffusers have reached the end of their life becoming very inefficient in transferring oxygen, thus requiring more energy (blower operation) cost.

We are requesting to purchase 5,000 domes, gaskets and stainless steel bolts (6 tanks plus spare units) at \$12.00 for each set.

This purchase is included in the 2014 budget (\$90,000) based on budget quotes we requested last summer (2013).

#### Recommendation

After soliciting quotes from 4 vendors, we did receive 3 responses. Only 2 can supply the domes. A copy of the vendors and cost is attached for your review. A Board resolution reflecting this recommendation is offered below:

**"I move that Delta Charter Township accept the quote from Refractron Company at a price of \$12.00 each for 5,000 domes, gaskets and bolts for a total of \$60,000 plus freight to Delta Township.**


cc: Jen Roberts, Deputy Township Manager  
encl: Vendor Response, Photo of Dome

Supplier	Unit Price	Total for 1,000 sets*
Refracton Company	\$12.00	\$60,000.00
Dubois Cooper	\$15.06	\$75,300.00
Diffused Gas	Could Not Supply Quantity	-----
Filtros	No Response	-----

- Set includes Dome, Gasket, and Stainless Steel Bolt





TO: Richard Watkins, Township Manager  
FROM: Tom Morrissey, Utility Director   
DATE: April 21, 2014  
SUBJECT: Recommendation for Acceptance of Bid  
Snow Road Water Tower Painting

On March 18, 2014, the Township received 5 bids for the painting of Snow Road Water Tower. Bids were solicited from 5 contractors by NTEC (Nelson Tank Engineering & Consultants, Inc.) which is our engineering consultant for this project. Below is the results of the bids.

Fedewa Inc.	\$107,740.00
L & T Painting	\$101,900.00
Horizon Brothers	\$226,700.00
Seven Brothers Painting	\$106,100.00
Pittsburg Tank & Tower	\$178,000.00

Recommendation for Acceptance of Bid

After both Keith Nelson (NTEC) and I reviewed the bid documents (see attached), I recommend the contract for the painting of Snow Road Water Tower be awarded to L & T Painting for the amount of \$101,900.00. A Board resolution reflecting this recommendation is offered below:

**"I move that Delta Charter Township accept the bid from L & T Painting for the painting of Snow Road Water Tower as outlined in their bid document dated March 18, 2014 in the amount of \$101,900.00.**

**I further move that the Township Manager be authorized and directed to sign the necessary documents related to this project".**

cc: Jen Roberts, Deputy Township Manager  
encl: NOA, and Bid Tabs from NTEC





Nelson Tank Engineering  
& Consulting, Inc.

16240 National Parkway • Lansing, MI 48906 • Phone 517-321-1692 • Fax 517-321-4405

March 19, 2014

Tom Morrissey  
Delta Charter Township  
7710 W. Saginaw Hwy.  
Lansing, MI 48917

RE: Notice of Award and Agreement

I have reviewed the bids for the painting of the 500,000 gallon elevated tank. NTEC recommends award of the project to L & T Painting, Inc., the apparent low bidder, with his bid of \$101,900.

I have enclosed three copies of the Notice of Award. The Notice of Award (3 copies) requires dating and signature. The three copies of the Notice of Award (signed and dated) shall be sent to the Contractor. The Contractor shall be instructed to sign and submit the Notice of Award, the required bonds and insurance certificate to NTEC.

After receiving and reviewing the required bonds and insurance certificate, the Contract Agreement will be executed. NTEC will compile and prepare the fully executed Contract Document package for each party.

Respectfully,

A handwritten signature in blue ink, appearing to read "Keith A. Nelson".

Keith A. Nelson, PE  
President

Encl: NOA, Bid Tabs

**Bid Tabulations  
Delta Township  
500,000 Gallon Elevated Tank  
Interior Exterior Repaint**

Planholders	Dry Interior Repaint	Wet Interior Roof Repaint	Exterior Repaint	Total (1- 3)
Fedewa Inc.	\$12,740	\$15,000	\$80,000	\$107,740
L & T Painting	\$14,000	\$29,000	\$58,900	\$101,900
Horizon Brothers	\$17,900	\$48,900	\$159,900	\$226,700
Seven Brothers Painting	\$10,700	\$28,500	\$66,900	\$106,100
Pittsburg Tank & Tower	\$30,000	\$50,000	\$98,000	\$178,000



## NOTICE OF AWARD

DATE:

TO:	L & T Painting, Inc. 43347 Woodbridge Dr. Clinton Township, MI 48038
PROJECT:	Delta Charter Township 500,000 Gallon Elevated Tank, Snow Road Interior & Exterior Repainting

Pursuant to the provisions of the Instructions to Bidders, you are notified that your bid dated March 18, 2014, for the above-referenced Contract has been considered. You are the apparent Successful Bidder and have been awarded a Contract for 500,000 GALLON ELEVATED TANK, INTERIOR & EXTERIOR REPAINTING.

The Contract Price of your contract is \$101,900.

The project shall consist of the following:

1. Repaint dry interior
2. Repaint wet interior roof
3. Repaint exterior with logos.

You must deliver the following to the Engineer within 10 days after the date of this Notice of Award:

- Three fully executed counterparts of the Notice of Award.
- Deliver to the Contract Securities (Bonds) as specified in the Instructions to Bidders and General Conditions.
- Deliver certificates of insurance specified in the General Conditions.

The Engineer will then instruct the Owner to review the bonds and insurance, execute the Contract Agreement, and return all of the documents to the Engineer. Upon receipt of the fully executed documents, the Engineer will compile the contract documents for distribution to each party.

Failure to comply with these conditions within the time specified will entitle the Owner to consider your Bid in default, to annul this Notice of Award and to declare your Bid Security forfeited.

**CONTRACTOR:**

L & T Painting, Inc.  
(Name)

43347 Woodbridge Dr.  
(Street)

Clinton Township, MI 48038  
(City, State, Zip)

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Date)

**OWNER:**

Delta Charter Township  
(Name)

7710 W. Saginaw Hwy  
(Street)

Lansing, MI 48917  
(City, State, Zip)

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Cosignature)

\_\_\_\_\_  
(Date)

Return all copies to Engineer

## MEMO

**TO:** Township Board  
Delta Charter Township

**FROM:** Gary Bozek  
Senior Planner

**DATE:** April 15, 2014

**SUBJECT:** Zoning Ordinance Update – Final Consultant Selection

As you are aware, the last complete re-write of Delta Township' current Zoning Ordinance occurred 24 years ago in 1990. While we have tried to keep current with changes in State law and emerging trends via numerous amendments over the years, it is advisable to do a comprehensive review and revision of the entire Ordinance. We are also desirous of developing a web-based user friendly version of the Zoning Ordinance for use by the public. The Township Board allocated monies for the comprehensive update of the Zoning Ordinance in the 2014 budget and authorized staff to seek the services of a planning and zoning consulting firm to do the work.

### **Summary of the Consultant Selection Process:**

In late January of this year staff sent out a Request for Proposals (RFP) to six Michigan planning and zoning consulting firms inviting these firms to submit proposals for a complete update of the Zoning Ordinance. The invited firms were: Carlisle/Wortman Associates, Inc., Clearzoning, Inc., LSL Planning, Inc., McKenna Associates, Wade Trim, and Williams & Works. In early March, staff received proposals from four of the six invited firms. These were: Carlisle/Wortman Associates, Inc., Clearzoning, Inc., McKenna Associates, and Williams & Works.

A summary of the cost comparisons and time frame for completing the project is presented in the table below:

	<b>Carlisle- Wortman</b>	<b>ClearZoning</b>	<b>McKenna Associates</b>	<b>Williams &amp; Works</b>
Base \$	\$30,250	\$22,950	\$39,000	\$25,389
Extras \$	More \$ for extra meetings/work.	\$3,750 for Optional Procedures Manual	More \$ for extra meetings/work.	\$1,630 for optional Community Meeting & \$1,258 for Open House.
Completion Time	9 months	9 months	9 months	9 months

All four of the firms that submitted proposals are very well recognized and capable of completing the project as outlined in the RFP. The Planning Division staff and the Township Manager reviewed the four proposals and selected two of the firms to be interviewed. These were: Carlisle/Wortman Associates, Inc., and

Clearzoning, Inc. These two firms were selected based on how well their proposal met the needs of the Township, prior work in similar communities, and examples of their web-based end products. After the interviews, the Township Manager and Planning Division staff met to discuss the merits of the two firms. It was the consensus that a recommendation for the acceptance of the Carlisle/Wortman Associates, Inc. proposal be forwarded to the Township Board for the Board's for consideration. A summary of staff findings was presented to the Board at the April 14<sup>th</sup> Committee of the Whole meeting. Staff is now placing its hiring recommendation on the Board's April 21<sup>st</sup> regular meeting agenda for final consideration.

### **Carlisle/Wortman's Profile & Proposal:**

Attached please find a copy of the Carlisle/Wortman Associates, Inc. proposal. The firm is based in Ann Arbor, MI and has been in operation for 27 years. Carlisle/Wortman has two offices with a total staffing of 20, and provides a wide range of planning, zoning and code enforcement services. They have completed more than 40 zoning ordinances, and they also provide on-going services to 31 communities. The firm's staff that would be assigned to the project has worked "in-the-trenches". That is they are professional planners that worked and/or managed local municipal planning offices prior to becoming consultants. In reviewing zoning ordinances prepared by the firm for other Michigan communities staff was encouraged that ordinances were specifically tailored to the community, and did not appear to be "off -the- shelf" products. The firm appears capable of preparing very complex (e.g., form-based & conditional zoning codes) or very basic ordinances, depending on the desire and structure of the community. The proposal adequately addressed all of the elements of the RFP. The end product would also include a hyperlinked pdf version for use on the Township's website.

Mr. John Enos, will be the principal-in charge for the project. Mr. Enos has 20 years of experience, he was employed as a planner in Livingston County for seven years, and he's been a principal in the Carlisle/Wortman firm since 2002. Mr. Enos also serves as the acting Planning Director for Huron Charter Township in Wayne County.

Staff spoke extensively with Mr. Enos regarding the challenges we are facing on West Saginaw Highway. Carlisle/Wortman has worked extensively in Pittsfield & Independence Townships which Mr. Enos described as similar to Delta Township. Both of these Townships had populations of approximately 35,000 in 2010, and both adopted new zoning ordinances in 2013. Staff has reviewed the ordinances of both of these communities and found them to be modern, user friendly, providing extensive tables and graphics, and offering hyperlinks that facilitate cross referencing. The Pittsfield ordinance designates five arterial roadways as mixed use districts with form based regulations. The Independence ordinance has an overlay district along Dixie Highway to encourage the redevelopment of this corridor as well as providing a Town Center overlay district at the Sashabaw Rd/I-75 interchange.

Ms. Laura Kreps, will serve as the project manager. Ms. Kreps drafted the 2008 Eaton County Master Plan, the 2008 Clinton County Master Plan and previously was employed as a planner for the City of Monroe for seven years.

Delta Township Board  
Re. Zoning Ordinance Update – Final Consultant Selection  
April 15, 2014  
Page 3

Mr. Enos expressed a willingness to modify the proposed work plan in order to increase the number of meetings with local officials if desired.

**Staff Recommendation**

The following motion is offered for the Board's consideration:

“I move that the Delta Township Board contract the professional services of Carlisle/Wortman Associates, Inc. for the purpose of updating the Delta Township Zoning Ordinance at a cost not to exceed \$30,250, unless such additional expenses as may be required are reviewed and approved by the Township Manager. Further, the Township Manager is hereby authorized to sign and execute the contract for professional services on behalf of Delta Township.”

/gb  
Attachment  
K:\PLANNING\GARY BOZEK\ZONING ORDINANCE 2014\CONSULTANT FINAL SELECTION BRD MEMO.DOC



CARLISLE | WORTMAN ASSOCIATES, INC.

# ZONING ORDINANCE UPDATE

## DELTA CHARTER TOWNSHIP

PROPOSAL  
FEBRUARY 2014





CARLISLE

WORTMAN  
associates, inc.

605 S. Main Street, Ste. 1  
Ann Arbor, MI 48104

(734) 662-2200  
(734) 662-1935 Fax

February 28, 2014

Gary Bozek, AICP, PCP, Assistant Director  
Community Development Department  
Delta Charter Township  
7710 W. Saginaw Highway  
Lansing, MI 48917-8974

Re: Proposal of Services for Zoning Ordinance Update

Dear Mr. Bozek:

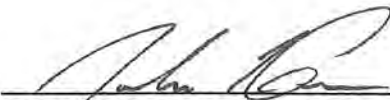
Thank you for the opportunity to submit proposals of services for the Delta Township Zoning Ordinance Update. As you know, Carlisle/Wortman Associates, Inc. (CWA) has been providing planning services to Michigan communities for over twenty-five years. Our firm has served over seventy municipal clients and provides on-going services to thirty-one communities.


Maintaining a long-term relationship with our clients is our goal. A close working relationship with our clients provides us with a clear understanding of our client's needs. We understand the necessity to update the 1990 Zoning Ordinance and Zoning Map in order to modernize terms and graphics, streamline processes and reorganize the document for ease of use. Not only will we ensure the Zoning Ordinance is up to date with the latest planning and zoning legislation and zoning case law, we will utilize the newly adopted 2013 Delta Township Comprehensive Plan as a guide for additional needed modifications.

As you will find in the body of our proposal, we anticipate completion of the project 9 months from the start date. We have dedicated a qualified team of professionals with considerable zoning experience to participate in the Delta Township Zoning Ordinance Update. We are or have provided planning services for many communities similar to Delta Charter Township such as Pittsfield Charter Township, Ann Arbor Charter Township and Green Oak Charter Township.

We look forward to answering any questions regarding our proposal and appreciate your time and consideration in this matter.

Yours Truly,

  
CARLISLE/WORTMAN ASSOC., INC.  
John L. Enos, AICP  
Principal

  
CARLISLE/WORTMAN ASSOC., INC.  
Laura K. Kreps, AICP



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:::7	WORK PLAN
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:::15	REFERENCES
:::16	PROJECT SHEETS





#### CORPORATE INFORMATION:

**CARLISLE|WORTMAN ASSOCIATES, INC.**  
18 professional employees  
with offices located in Ann  
Arbor, Clarkston, and Mt.  
Clemens. CWA was founded  
in 1987.

**POINT OF CONTACT**  
JOHN ENOS, AICP

**PROJECT MANAGEMENT**  
LAURA KREPS, AICP  
605 S. MAIN STREET, STE. 1  
ANN ARBOR, MI 48104  
(734) 662-2200 PHONE  
(734) 662-1935 FAX  
LKREPS@CWAPLAN.COM

#### CWA SERVICES INCLUDE:

- MASTER PLANNING
- ZONING STUDIES AND ORDINANCE PREPARATION
- DEVELOPMENT REVIEW
- VACANT PROPERTY ACQUISITION AND DISPOSITION
- CODE ENFORCEMENT
- BUILDING DEPARTMENT SERVICES
- CORRIDOR STUDIES
- COMMUNITY ENERGY PLANS
- GREENWAY AND OPEN SPACE PLANNING
- ENVIRONMENTAL/WATERSHED PLANNING
- PARKS AND RECREATION PLANS
- LITIGATION ASSISTANCE
- ECONOMIC DEVELOPMENT PLANS AND STUDIES
- GRANT ASSISTANCE
- PUBLIC PARTICIPATION

## A PHILOSOPHY OF SERVICE AND COMMITMENT TO SOUTHEAST MICHIGAN

Carlisle|Wortman Associates, Inc. (CWA) is well prepared and equally enthused to conduct the scope of services and service specifications described in the Request for Proposals. Since 1987, Carlisle|Wortman Associates, Inc. has been providing public sector clients with professional services aimed at maintaining the vibrancy in our communities. As a firm, we pride ourselves in our expertise in understanding urban places and the interconnected relationships between planning, zoning, building, and code enforcement.

Our highly experienced professionals are forward thinking, development savvy individuals who are accomplished and skilled at finding the best ways to compliment communities and develop strategies to fit our clients' need. Our continuing success is a direct result of the philosophy to which we adhere: responsiveness, commitment, trust, and success.

Carlisle|Wortman has extensive experience with the processes of master planning, visioning, redevelopment, zoning and subdivision regulations, sign and appearance codes, special area planning, neighborhood planning, traditional neighborhood development standards, conservation design, business district planning, growth management, streetscape design, and park planning.

We have been exclusively servicing southeast Michigan for over 25 years. With a commitment to public service, we only provide services for governmental and non-profit entities ranging from townships, cities, and counties to community development organizations and public transit agencies. The firm has served over seventy municipal clients. Each client is personally represented by a principal of the firm.

Delta Charter Township can rely on CWA for:

#### **Responsiveness**

We believe in constant contact with our clients via telephone, in-person meetings, emails, and mobile communication, and at hours beyond standard business practice.

#### **Commitment**

We are committed to providing a solid product and service. CWA has been working with some of our clients continuously for over twenty-five years.

#### **Trust**

We cherish long-term client-consultant relationships built by listening intently to client needs, maintaining clear and frequent contact, providing timely and responsive service, and exceeding expectations.

#### **Success**

We equip our clients for success by sharing our expertise, leadership, and creativity while educating communities to ensure successful solutions.

#### **Building Livable Communities**

We are passionate about creating livable communities: places with a strong economy, walkable and safe streets, and great venues to play and interact with neighbors.



***Creating Memorable Places***

We strive to craft exceptional places that fit their environment while helping to create a positive buzz about your project or community.

***Giving People Choices***

We give clients choices through a careful matching of planning and design approaches to the place. We promote careful evaluation of choices through our firm's diverse skill set, supplemented by team partners matched to the specifics of the project.

***Ensuring Economic Sustainability***

We believe that profit and strong communities are intertwined. Developments and local infrastructure must meet demands for shopping, jobs, housing, and civic needs while producing fiscally responsible impacts on municipalities and profits for the development team.

## **AN EQUAL OPPORTUNITY EMPLOYER**

Carlisle|Wortman Associates, Inc. interviews interested applicants and maintains a file of resumes and applications for employment. Race, color, age, sex, creed, or national origin shall not be considered in evaluating any person for employment, merit increases, promotion, termination for cause, or reduction in force, or any other such action affecting employees.

Our staff members are experienced in providing both comprehensive and innovative solutions to complex problems, regardless of the size of the community.



Carlisle/Wortman Associates (CWA) has extensive and award winning experience applying new and innovative zoning language. We are well-versed in the latest and defensible zoning techniques.

We have provided zoning ordinance updates as well as various design techniques to a wide range of communities including Huron Charter Township, Green Oak Charter Township and Pittsfield Charter Township. The completion of over forty complete zoning ordinances and several hundred amendments provides us with an understanding of the issues that may be confronting Delta Charter Township. In addition, CWA was the first private planning consulting firm to adopt the Michigan Association of Planning Community Planning Principles, and we are dedicated to their application.

CWA sets themselves apart with a combination of planning and zoning enforcement experience. Our subsidiary company, Code Enforcement Services, Inc. (CES), provides reliable and systematic procedures for the enforcement and tracking of zoning and general code violations. We assist several communities by providing trained zoning enforcement personnel and working with existing staff to improve procedures.

CWA will work closely with the Delta Charter Township. Regular interaction and communication via telephone, e-mail, and face to face meetings with the project team will provide the necessary local support to develop a new and progressive Zoning Ordinance.

## PROJECT MANAGEMENT AND TEAM

We have assembled a strong project team with over 30 years of planning experience. John Enos will be the Principal-in-Charge and will be responsible for overall client administration while Laura Kreps will serve as the Project Manager. Mr. Enos will attend scheduled meetings and coordinate development of the overhaul. Each will be directly involved in the formation of the Zoning Code sections.

## GUIDING PRINCIPLES FOR ZONING CODE OVERHAUL

To provide a new and improved version of the Zoning Ordinance, there are several principles and concepts we would recommend. These are based not only on the information provided in your RFP, but also on the innovations we are employing elsewhere.

1. Use Improved Technology – The Ordinance should be designed not only for hard copy but also online use. Starting out with this in mind, we will be able to use techniques such as hyperlinks that will allow cross-references to section references, definitions, etc. by clicking on key words.
2. Use Improved Graphics – Using new software technology, we will also be able to incorporate improved graphics in the document. Such graphics will better illustrate ordinance requirements such as dimensional regulations, landscaping, signage, etc.
3. Improve Organization – The Ordinance is in need of reorganization with or without amendment. We will make suggestions as to a new organizational format.
4. Improve Readability – Without compromising legal precision, there are many sections of the Ordinance which need editing. To the extent possible, we should strive to make the Ordinance



understandable to the user. Better use of graphics, as indicated above, will help.

5. Remove Conflicting Language – Whenever an Ordinance is amended a multitude of times without a comprehensive review, there are bound to be conflicts. A comprehensive review, combined with the use of improved software technology, will remove those conflicts.
6. Improve Efficiency and Avoid Repetition – There may be unnecessary repetition in the Ordinance. Much greater use can be made of presenting information in a tabular form. For example, with other ordinances we have revised, we have presented each individual Zoning District on one or two pages by using a tabular form.
7. Provide a Better Table of Contents – The Table of Contents should identify each article, section, and subsection so that users can better locate information.
8. Don't Fix the Unbroken – Obviously, portions of the Ordinance has served the Township well for many years. Therefore, we shouldn't spend a great deal of time on things that should either be slightly "tweaked" or left alone.
9. Statutory Updates - Update the Zoning Ordinance for portions relevant to PA 110 of 2006.





## Stage One

### TASK 1.0 TECHNICAL REVIEW

- 1.1 Prepare a technical review of the Zoning Ordinance to evaluate the extent that the existing ordinance should be updated.
- 1.2 Detailed Review of 2013 Comprehensive Plan and other relevant documents and reports.
- 1.3 Present findings to Township Community Development planning staff in a work session format.
- 1.4 Modify proposal if warranted.

### TASK 2.0 INTERGOVERNMENTAL COOPERATION

- 2.1 Review current regulatory County and State agency requirements for development within Delta Charter Township.
- 2.2 Coordinate and meet with Community Development Department and regulatory agencies (DPW, Engineering, etc.)
- 2.3 Review design standards consistent and compatible with regulatory agencies for inclusion in to Zoning Ordinance.

## Stage Two

### TASK 1.0 PROJECT INITIATION

- 1.1 Review work plan with Community Development Department and agree upon Ordinance organization and identify issues or concern.

### TASK 2.0 DEVELOPMENT OF DRAFT ZONING REGULATIONS

- 2.1 Add or modify existing regulations to meet Michigan Zoning Enabling Act requirements.
- 2.2 Consolidate articles and use tables, charts, and graphics to improve and clarify language.
- 2.3 Revise definitions to stay current with contemporary terms.



- 2.4 Incorporate technological advances to link references and sections.
- 2.5 Meet with Planning Commission and staff to evaluate modifications.

### **TASK 3.0 ORDINANCE STANDARDS AND PUBLIC HEARING**

- 3.1 The following standards will be incorporated within the Ordinance:
  - Graphics and readability: We will craft a Zoning Ordinance that includes graphics, flowcharts and tables. The current ordinance is dated. We strongly believe the ordinance should be easily understood by elected and appointed officials and also the general public.
  - Definitions: Progressive and applicable definitions will be added. Several illustrations will be included in this section.
  - Code Enforcement: Experience gained from our Code Enforcement Services company will be incorporated into the Ordinance. This will create an easy and efficient document for use by designated officers.
  - Interagency Cooperation and Communication: Several Township agencies including the Community Development Department are responsible for development within Delta Charter Township. Zoning language must be crafted that easily explains the framework of responsibility.
  - Coordination with Master Plan: The current Master Plan provides the goals, objectives, and policies needed to create detailed and unique zoning language. We will suggest changes to the Zoning map based upon planned future land uses.
  - Legal Defense: Working closely with the Township Attorney, we will draft an ordinance that will meet or exceed Michigan Zoning Laws. We regularly provide expert witness testimony on land use litigation.
  - Environmental Standards: We will explore and discuss zoning language that provides performance based on environmental guidelines for all developments within Delta Charter Township. We will be especially conscious of providing tools and techniques to protect waterfront areas.
  - Non-Motorized Transportation: We will provide language to provide “walkability” within neighborhoods and new developments.
  - Site Plan Review: Design standards will be provided that are consistent and compatible with the Township's character. The submittal process will require a professional and detailed plan.





- Access Management: The Ordinance will provide regulations that recognize the correlation between land use decisions and traffic safety and operations. Language will provide transportation planning concepts applicable in the review and development process.
- Special considerations such as street vendors, temporary uses, events, and similar elements of meeting the Michigan State Housing Development Authority and the Michigan Economic Development Corporation initiatives for "Placemaking."

3.2 Develop draft land use plan and map. Present to Planning Commission.

3.3 Public Hearing.

## TASK 4.0 FINAL ORDINANCE ADOPTION

4.1 Final Zoning Ordinance adoption.





Task	Month 1	Month 2	Month 3	Month 4	Month 5	Month 6	Month 7	Month 8	Month 9
<b>Stage One</b>									
1. Technical Review									
2. Intergovernmental Cooperation									
<b>Stage Two</b>									
1. Project Initiation									
2. Ordinance Drafting									
3. Ordinance Standards and Public Hearing									
4. Final Ordinance Adoption									





Task	Principal-in-Charge John Enos	Project Manager Laura Kreps	GIS/ & Graphics
<b>Stage One</b>			
1. Technical Review	5	20	
2. Intergovernmental Cooperation	5	10	
<b>Stage Two</b>			
1. Project Initiation	5	30	
2. Ordinance Drafting	10	200	40
3. Ordinance Standards and Public Hearing	10	10	10
4. Final Ordinance Adoption	5	15	5
<i>Subtotal of Hours</i>	<i>40</i> <i>@ \$90/hour</i>	<i>285</i> <i>@ \$80/hour</i>	<i>55</i> <i>@ \$70/hour</i>
<i>Cost Subtotal</i>	<i>\$3,600</i>	<i>\$22,800</i>	<i>\$3,850</i>
<b>Zoning Code Overhaul Grand Total</b>			<b>\$30,250</b>

**EXPENSES**

Supplies, Prints, Mailing

**RATE**

cost + 20%

**MEETINGS:** We plan at least four (4) meetings with the Planning Commission and/or staff. Additional meetings will be billed at hourly rates.

**PRINTING:** The Carlisle|Wortman Associates, Inc. proposal includes the cost of three (3) bound copies of the final zoning ordinance, but all draft copies will be directly billed to the Township as an additional expense.

**DELIVERABLES:** A digital copy of the updated Zoning Ordinance document prepared using Microsoft Word including all tables, maps, photographs, and illustrations will be provided to the Township along with three (3) bound hard copies. The Zoning Map will be prepared using ArcGIS or a format that can be maintained and updated by Township staff on a regular basis.



Carlisle/Wortman Associates assigns a team of planners disciplined in the art and science of urban planning and development. Mr. John Enos will be the primary planner. Ms. Laura Kreps will be the secondary planner.

**JOHN ENOS, AICP, PRINCIPAL**, was a Planning Director for both local and county government before joining Carlisle/Wortman Associates. This experience has shaped his twenty-year career, and enabled him to more thoroughly see planning issues from the community's point of view. John was named Principal and shareholder of the firm in 2002. He currently provides planning, zoning, and growth management services to various communities in southeast Michigan as both a consultant, and as the acting Planning Director for a local township and city. This unique perspective allows him to craft practical planning solutions within an established community framework.

**LAURA KREPS, AICP**, is a community planner with over thirteen years of experience working as a professional planner both in municipal government and consulting. Mrs. Kreps has extensive experience in zoning, land use, site plan review, and comprehensive planning. Mrs. Kreps is also proficient in Tax Increment Financing, economic development, capital improvement project programming, downtown development, and grant writing/administration. Prior to joining Carlisle|Wortman Associates in 2007, Mrs. Kreps worked for the City of Monroe in the capacities of land use planner, grant writer/administrator, Downtown Development Authority staff planner, and assisted in program planning for CDBG. She currently serves as planner in numerous communities in Monroe, Wayne, and Washtenaw Counties. Mrs. Kreps is also a certified Main Street Manager.



**JOHN L. ENOS, AICP, PRINCIPAL** was a Planning Director for both local and county government before joining Carlisle/Wortman Associates. This experience has shaped his twenty-year career, and enabled him to more thoroughly see planning issues from the community's point of view. John was named Principal and shareholder of the firm in 2002. He currently provides planning, zoning, and growth management services to various communities in southeast Michigan as both a consultant, and as the acting Planning Director for a local township and city. This unique perspective allows him to craft practical planning solutions within an established community framework.



## EDUCATION

MS, City and Regional Planning | Eastern Michigan University

BA, Public Administration | Eastern Michigan University

## EXPERIENCE

Principal, Carlisle|Wortman Associates, Inc.  
Ann Arbor, MI, 2000-Present

Director of Municipal Services  
Pittsfield Charter Township, MI, 1995-2000

Assistant Director, Livingston County Department of Planning  
1990-1995

Principal Planner, Livingston County Department of Planning  
1988-1990

## PROFESSIONAL AFFILIATIONS

American Institute of Certified Planners  
Membership No. 18397

Michigan State Police Professional  
Emergency Manager

Soil Erosion and Sedimentation Control Officer

Level I Tax Assessor

Michigan Association of Planning Officials Board of  
Directors

Huron River Watershed Council Secretary - Treasurer

Saline Leadership Institute

American Planning Association

American Society of Landscape Architects

American Water Works Association

BOCA International Membership No. 48031



**LAURA K. KREPS, AICP** is a community planner with over thirteen years of experience working as a professional planner both in municipal government and consulting. Mrs. Kreps has extensive experience in zoning, land use, site plan review, and comprehensive planning. Mrs. Kreps is also proficient in Tax Increment Financing, economic development, capital improvement project programming, downtown development, and grant writing/administration. Prior to joining Carlisle|Wortman Associates in 2007, Mrs. Kreps worked for the City of Monroe in the capacities of land use planner, grant writer/administrator, Downtown Development Authority staff planner, and assisted in program planning for CDBG.

In 2011, Mrs. Kreps completed the "Wayne County Housing Needs Assessment" in coordination with Wayne County EDGE and Hennessey Engineering. She currently serves as planner in numerous communities in Monroe, Wayne, and Washtenaw Counties. Mrs. Kreps is also a certified Main Street Manager.



## EDUCATION

BS, Urban and Regional Planning | Michigan State University

## EXPERIENCE

Community Planner, Carlisle|Wortman Associates, Inc.  
Ann Arbor, MI, 2007-Present

Community Planner/Land Use Planner, City of Monroe  
Michigan, 2000-2007

Site Acquisition Specialist, Prudential Dickson Hughes  
Michigan, 1999-2000

## PROFESSIONAL AFFILIATIONS

American Planning Association

Michigan Association of Planning

## PROFESSIONAL CERTIFICATIONS

AICP Membership No. 120124

Certified Zoning Administrator  
Planning & Zoning Center - MSU

Michigan Municipal League Parliamentary  
Procedure Training

Certified Main Street Manager

Michigan Economic Development  
Association Practitioners Certification



The following people are some of the clients with whom we have worked within southeast Michigan. We encourage you to call them to discuss our professional performance and skills.

**DAVID GLAAB, SUPERVISOR**

Huron Township  
22950 Huron River Drive  
New Boston, MI 48164  
(734) 753-4466

**WILLIAM CALL, ZONING ADMINISTRATOR**

Handy Township  
135 N. Grand Avenue  
Fowlerville, MI 48836  
(517) 223-3228

**MARK KIBBY, CITY ADMINISTRATOR**

City of Woodhaven  
21869 West Road  
Woodhaven, MI 48183  
(734) 675-4932

**BRANDON FOURNIER, CITY ADMINISTRATOR**

City of Southgate  
14400 Dix-Toledo Highway  
Southgate, MI 48195  
(734) 258-3021



### Project Highlights:

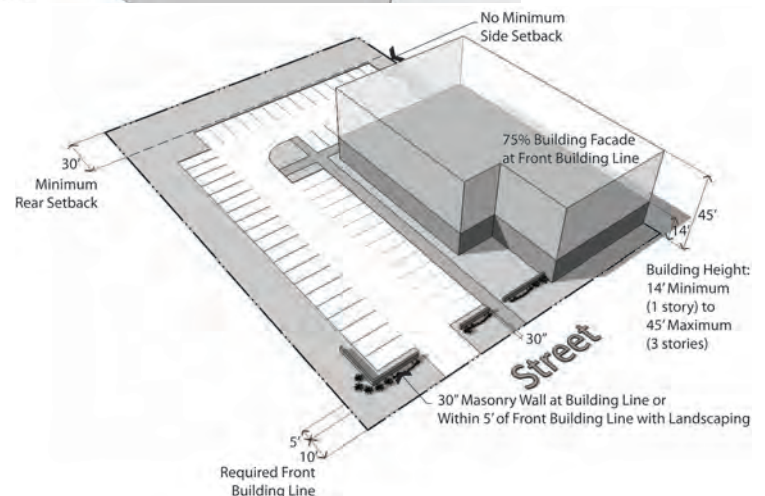
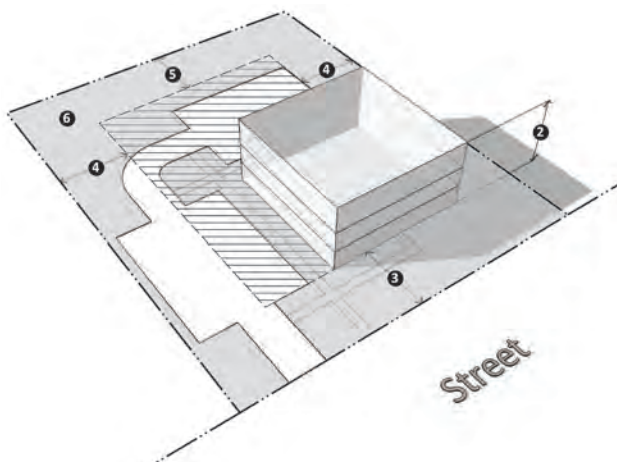
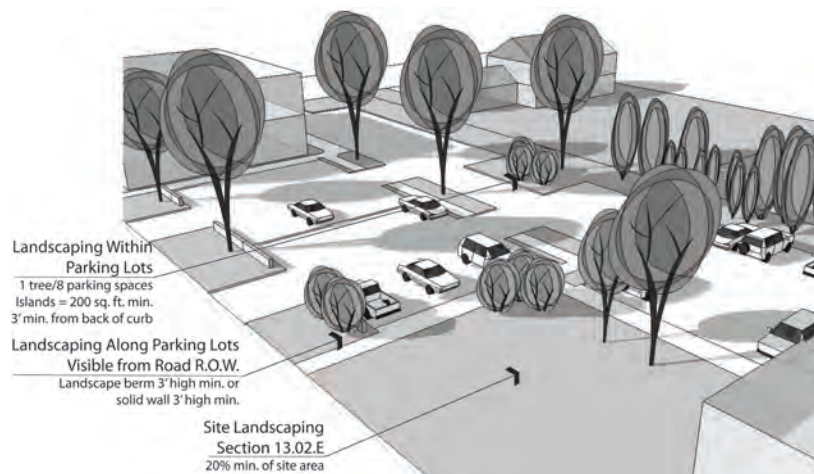
Troy's form based regulations:

- Ensure that development is of human scale, primarily pedestrian-oriented and designed to create attractive streetscapes and pedestrian spaces
- Promote infill development and redevelopment to expand the employment and economic base
- Promote mixed-use development horizontally and vertically
- Ensure reasonable transition between higher intensity development and adjacent neighborhoods
- Improve mobility options and reduce the need for on-site parking by encouraging alternative transportation

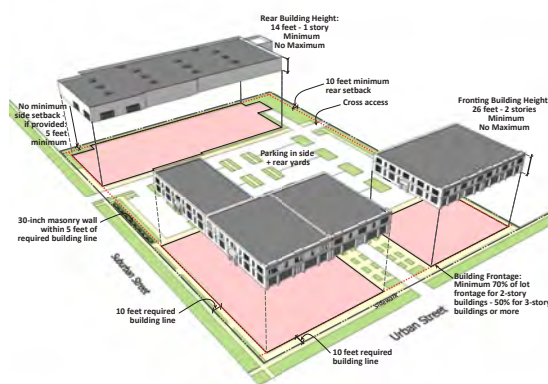
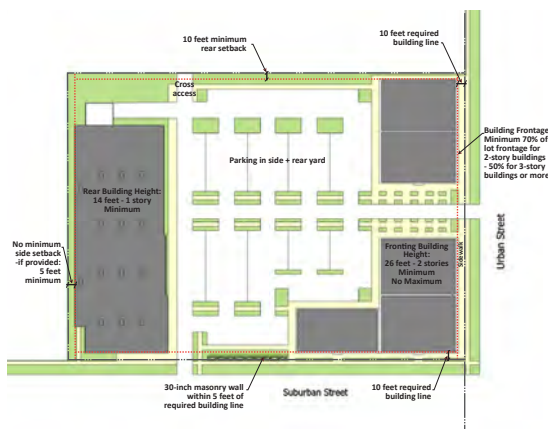
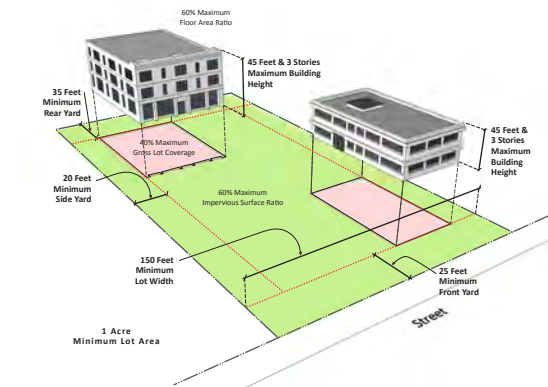
The City of Troy zoning ordinance uses both conventional and form based zoning regulations. Troy has opted to emphasize regulating urban form over land use for those areas of the City where more compact mixed-use development was desired.

Troy's form based zoning regulations are based on site context and building form. Site context is derived from existing and desired characteristics of the area and distinguishes areas of the City by lot size and configuration, street patterns, location, and intensity of use. Building form addresses the manner in which buildings and structures relate to their lots, to other buildings, and to the street. It governs building height, placement, configuration, parking location, and other design factors. By regulating form, allowable land uses in these areas are less restrictive than in conventional districts, permitting a wide variety of uses by right.

Troy's zoning ordinance was designed as an interactive online document with numerous graphics and links. It can be viewed [here](#)



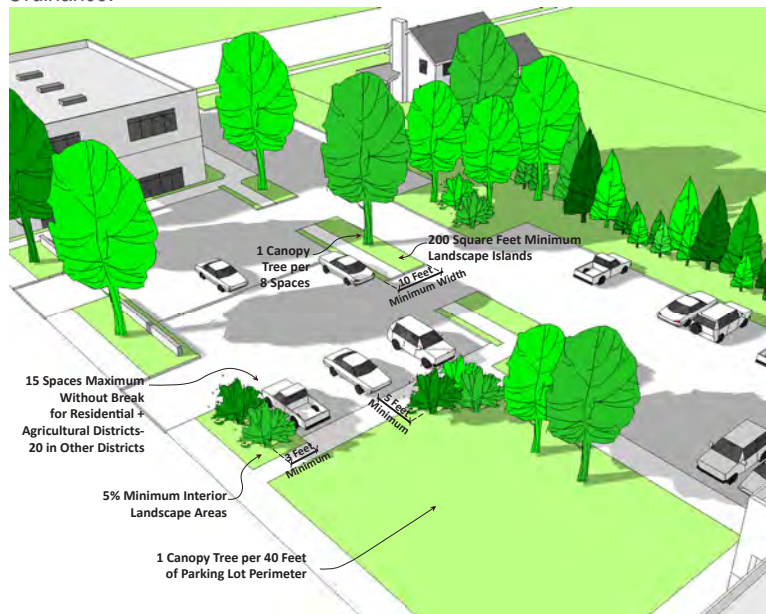




Reflecting the vision of the community's 2010 Master Plan update, the 2013 Pittsfield Township Zoning Ordinance establishes provisions to strengthen rural areas and economic vitality of agriculture, preserve and promote strong existing neighborhoods, integrate art and culture into the public realm, encourage public gathering places, and promote higher density mixed use development at six focused development nodes.

The last significant revision of the Pittsfield Zoning Ordinance occurred over twenty years ago. Since that time, a number of best practices and amendments have been implemented to address specific issues, remain consistent with the Michigan zoning enabling statute, and respond to precedents established by case law.

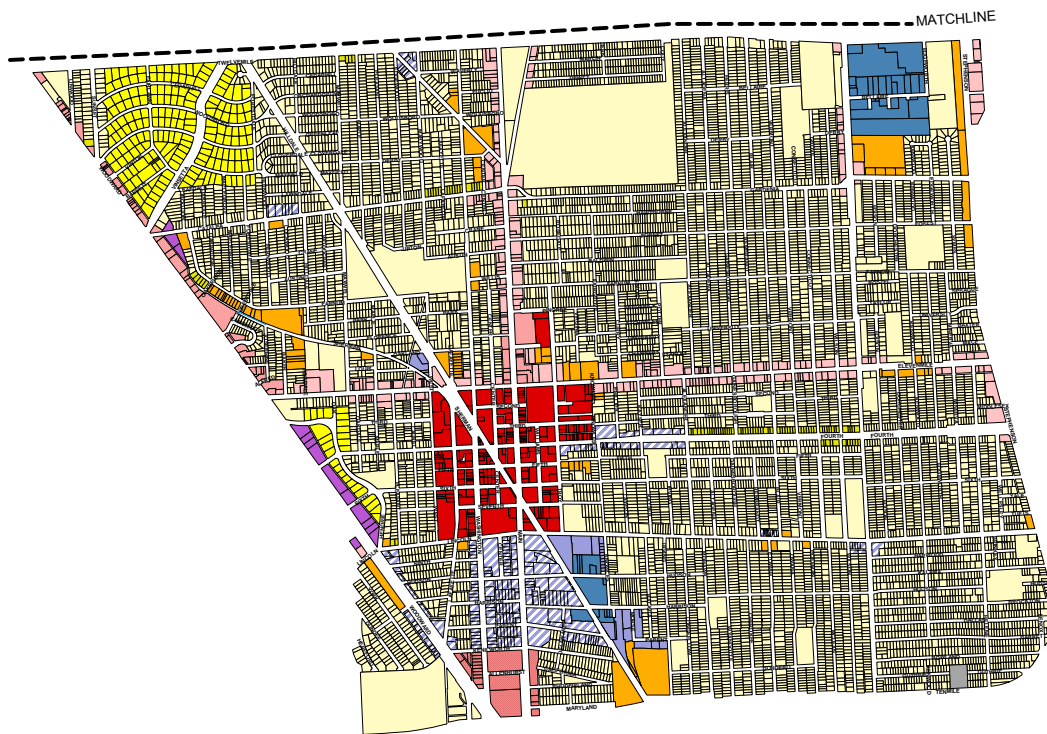
Without compromising legal precision, the Ordinance has been made understandable to the user. Improved graphics have been included in the document using new software technology. The graphics complement the text to make the Ordinance more user-friendly. Such graphics better illustrate the ordinance requirements such as dimensional, landscaping, and signage regulations. The Ordinance is designed not only for hard copy but also online use, with hyperlinks provided to allow cross-referencing between sections of the Ordinance.





Royal Oak is a mature community with a vibrant downtown and commercial districts, established neighborhoods, many historic structures, and an exemplary system of community and neighborhood parks. The challenge for this community was discovering ways it could protect these assets, and improve its commercial and transportation corridors.

In addition to updating the entire Zoning Ordinance, Carlisle/Wortman Associates prepared two mixed-use zoning districts. The districts are intended to provide for a mixture of uses (residential, office, low intensity public/institutional, and neighborhood commercial uses) in an urban design pattern. The types of permitted uses are based on the districts proximity to residential neighborhoods and/or the downtown. Redevelopment and reuse are encouraged as are upper floor residential dwellings provided they are compatible with the established development pattern. Specific criteria were created to ensure a compatibility of uses, architecture, location, and other features.



**PROPOSED ZONING MAP  
SOUTH AREA**

City of Royal Oak  
Oakland County, Michigan



2000 0 2000 Feet

Carlisle/Wortman Associates, Inc.  
Community Planners and Landscape Architects  
Ann Arbor, Michigan

Effective Date : November 8, 2001



**LEGEND**

ONE FAMILY	CENTRAL BUSINESS
ONE FAMILY-LARGE LOT	REGIONAL BUSINESS
TWO FAMILY	GENERAL INDUSTRIAL
MULTIPLE FAMILY	PLANNED UNIT DEVELOPMENT
OFFICE SERVICE	MIXED USE ONE-Residential/Office/Institutional
NEIGHBORHOOD BUSINESS	MIXED USE TWO-Residential/Office/Commercial
GENERAL BUSINESS	



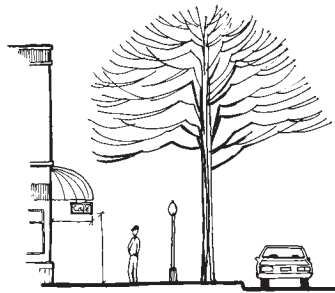


The intent of the Central Mixed Development (CMD) District is to implement the Downtown Clawson Urban Framework Design Plan. It preserves and enhances the commercial “main street” character of downtown Clawson and ensures that new development is compatible with the desired character. The CMD district also:



- Serves as a downtown neighborhood and community shopping center which is functionally and architecturally integrated with other uses in the area
- Encourages a mixed use environment
- Promotes pedestrian oriented buildings and uses
- Encourages vehicular access to parking lots from alleys rather than streets
- Fosters multiple story buildings
- Furthers shared parking and access
- Encourages buildings to be located at the edge of the public right-of-way
- Recognizes and affirms the function of the traditional urban downtown center

Development standards were developed to regulate land uses, building placement, building size and height, access, façade design, and parking. The regulations also addressed signs and other design features.

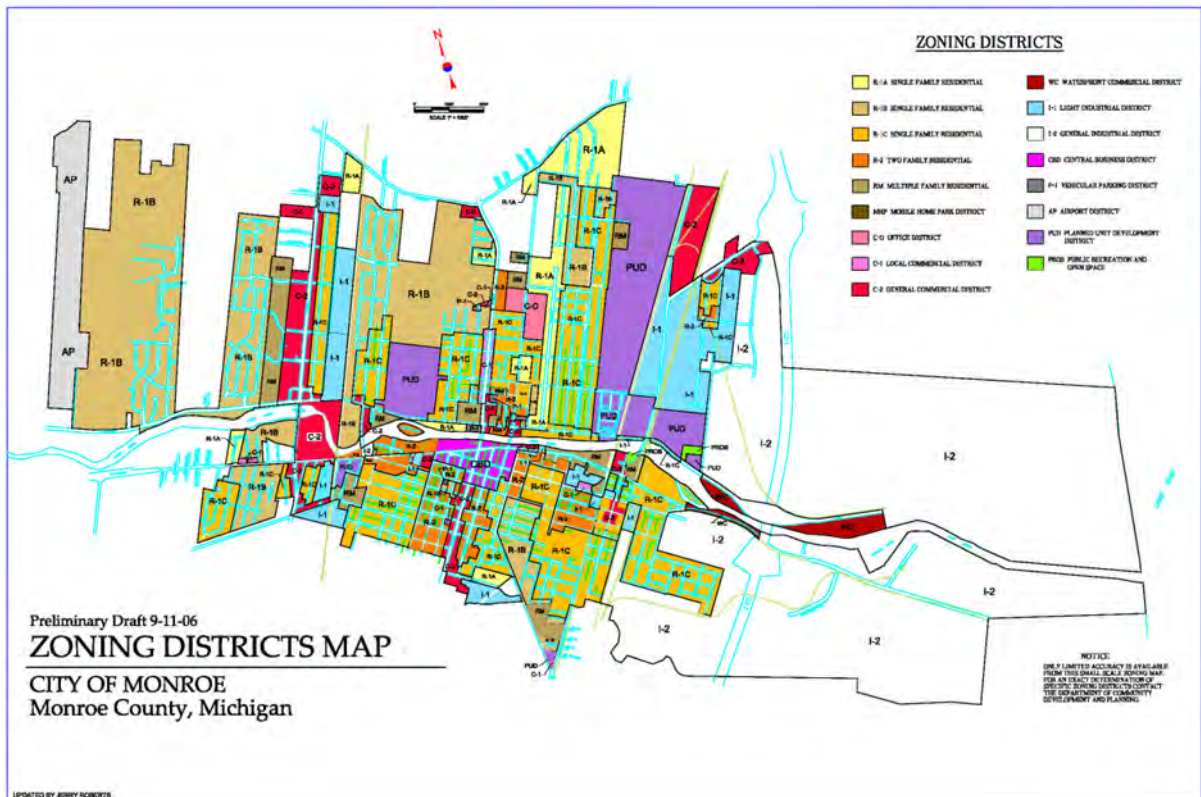




Carlisle/Wortman Associates prepared an update to the City of Monroe Zoning Ordinance based upon their 2003 Comprehensive Plan.

A number of both text and map amendments were undertaken including:

- Improvements to the document organization
- Compliance with State requirements related to: State regulated facilities, site condominiums, floodplains, billboards/highway advertising, and P.A. 110 modifications;
- Updates to procedural and use regulations by allowing neighborhood commercial uses as special land uses in certain residential districts, the addition of high-tech uses in industrial districts, as well as modified special land use and PUD standards
- Text amendments to expand definitions and graphics, add special use categories and determinations, modify requirements for use variances, reorganize environmental provisions/landscape standards, and incorporate the sign ordinance into the Zoning Ordinance utilizing simplified standards; and
- Various amendments to the official zoning map, including thirteen (13) areas down-zoned to provide consistency with the Comprehensive Plan and Future Land Use Map, surrounding zoning, and current land uses.





## CENTRAL BUSINESS DISTRICT OVERLAY Northville, Michigan

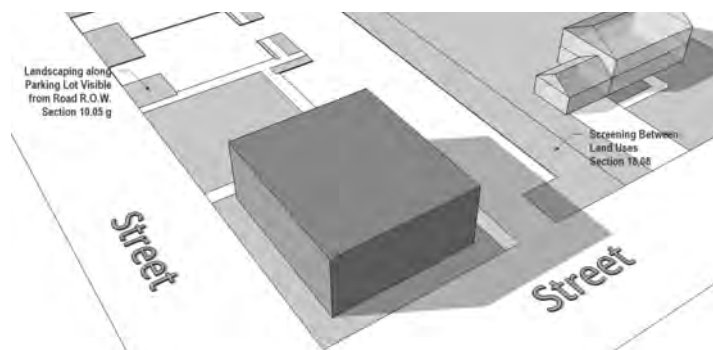
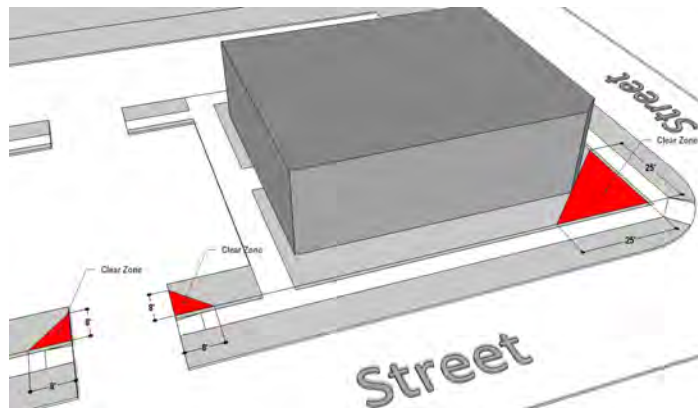
### Project Highlights:

#### Northville CBD Overlay:

- Address the unique needs of the North Center Street area by creating special overlay zoning options for a targeted area.
- Promote shared access drives to minimize curb cuts; encouraging walkability and vehicular efficiency.
- Promote mixed-use and shared parking to avoid large, underutilized parking areas that disrupt the walkable character of the area.
- Protect adjacent residential areas with adequate transition and buffering.
- Promote Low-Impact Development stormwater mitigation techniques

The City of Northville has a well-known, attractive, walkable, traditional downtown. Like many traditional communities, the Downtown is compact, has common public parking, and is characterized by common-wall, mixed-use historic buildings. Infill development and redevelopment continues, and Downtown Northville thrives.

Immediately north of the Downtown core, however, is a transitional area that shares many of Downtown's characteristics, with several key differences. North Center Street has no common walls, the buildings are set back, away from the right-of-way, and each lot has its own access and parking. Given these differences, it was necessary to separate the North Center Street area from Downtown in the Zoning Ordinance. The new North Center Street Overlay developed by Carlisle/Wortman Associates preserves the characteristics, through form-based zoning standards, that make North Center Street compatible with Downtown while addressing those that present challenges. The regulations protect the adjacent single-family neighborhoods, recognize the need for safe and efficient vehicular and pedestrian access, allow for mixed-use development, and promote a predictable physical outcome by providing setback minimums and maximums to ensure a pedestrian-friendly and attractive, consistent street presence.



## MEMO



TO: Delta Township Board

FROM: Gary Arnold, P.E.  
Township Engineer

Steven Bishop, P.E.  
Fleis & Vandenbrink, Inc.

DATE: April 16, 2014

SUBJECT: Bid Results and Recommendations for Award  
2014 Water System Improvements

The Township received sealed bids for the 2014 Water System Improvements on Thursday, April 10, 2014; the three (3) low bids for Contracts A and B were as follows:

Contract A – Claiborne Heights Subdivision and Dibble Street

CL Trucking and Excavating, LLC	\$ 695,114.20
Scarlett Excavating	\$ 789,357.00
C & D Hughes, Inc.	\$ 844,294.20

Contract B – Michigan Avenue, Waverly to Theo Street

Leavitt & Starck Excavating, Inc.	\$ 1,063,321.00
CL Trucking and Excavating, LLC	\$ 1,160,431.00
C & D Hughes, Inc.	\$ 1,177,820.11

The pre-bid estimates prepared by Fleis & Vandenbrink for Contracts A and B were \$930,000 and \$1,100,000 respectively. Additional bids were received for both contracts; copies of the bid tabulations are attached for your reference.

Recommendation for Award – Contract A: Claiborne Heights Subdivision/Dibble Street

CL Trucking and Excavating, Inc. is an established underground/utility contractor based in Ionia, Michigan. Both Fleis & Vandenbrink and Township staff has worked satisfactorily with this firm on numerous projects in the past.

We contacted CL Trucking and Excavating to determine if they were comfortable with their bid and, recognizing that they were lower than the second low bidder, if there were any significant errors or omissions in their bid. After several exchanges of correspondence, CL Trucking and Excavating indicated that they will honor their bid as submitted.



We therefore recommend award of Contract A of the 2014 Water System Improvements to CL Trucking and Excavating, Inc. in the amount of \$ 695,114.20.

Recommendation for Award – Contract B: Michigan Avenue

Leavitt & Starck Excavating, Inc. is a relatively new firm, established in 2011 and is based in Ovid, Michigan. The firm has not worked directly with the Township or on any projects with Fleis & Vandenbrink in the past.

The firm provided the following information to the Township for use in evaluating their firm:

- A copy of their Prequalification Package for Central Michigan University dated February 27, 2014. The prequalification package provided an extensive list of completed projects, with detailed information including references.
- A copy of their most recent annual financial audit
- Resumes of the principals of the company, Dean Leavitt and Tom Starck.

A meeting was held on April 15, 2014, attended by Richard Watkins, Tom Morrissey, Gary Arnold, Steve Bishop of Fleis & Vandenbrink and Dean Leavitt and Tom Starck, to review the capabilities of the firm and to discuss their anticipated approach to completing the Michigan Avenue water main project. Based upon the discussions, the Township staff and Steve Bishop came away with the consensus opinion that Leavitt & Starck Excavating was capable of completing the work associated with Contract B.

In addition to the above meeting, we contacted two (2) general contractor/construction manager references: Laux Construction and Weiland Davco Corporation. Both references spoke highly of the firm, indicating that they had a very good work ethic and completed their work within schedule. Weiland Davco further indicated that the project for the Two Men and A Truck headquarters is ahead of schedule due in large measure to the efforts of Leavitt & Starck Excavating.

Based upon the above comments, our review of the firm's background and capabilities, and the listed concrete and HMA paving subcontractors, we recommend award of Contract B of the 2014 Water System Improvements to Leavitt & Starck Excavating, Inc. in the amount of \$ 1,063,321.00.

Proposed Motion for Board Consideration

**“I move that the Delta Charter Township Board accept the bid from CL Trucking and Excavating, LLC for the 2014 Water System Improvements – Contract A Claiborne Heights in the amount of \$695,114.20.**

**I move that the Delta Charter Township Board accept the bid from Leavitt & Starck Excavating, Inc. for the 2014 Water System Improvements – Contract B Michigan Avenue in the amount of \$1,063,321.00.**

**I further move that the Township Manager be authorized and directed to execute the necessary documents related to the aforementioned projects.”**

We will attend the April 21, 2014 Board Meeting to address any questions the Board may have. In the interim, please contact us if you have any questions. Thank you.

cc: Richard Watkins, Township Manager  
Tom Morrissey, Utilities Director  
Gary Bozek, AICP, PCP, Community Development Department

DELTA CHARTER TOWNSHIP  
CONTRACT A - CLAIBORNE HEIGHTS 2014 WATER SYSTEM IMPROVEMENTS  
BID TABULATION

Date 4.15.14  
PM SMB  
Project No. 817290

Item No.	Item Description	Unit	Estimated Quantity	Engineer's Estimate		C.L. Trucking & Excavating, LLC		Scarlett Excavating		C&D Hughes, Inc.		ET MacKenzie Company		Springline Excavating, LLC		TCI Incorporated of Michigan		Leavitt & Starck Excavating, Inc.	
				Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount
1	General Conditions, Bonds, and Insurances, Max. 5%	Lump Sum	1	\$ 40,000	\$40,000	\$34,000.00	\$34,000.00	\$25,000.00	\$25,000.00	\$38,000.00	\$38,000.00	\$34,300.00	\$34,300.00	\$37,000.00	\$37,000.00	\$32,000.00	\$32,000.00	\$50,000.00	\$50,000.00
2	Pre-Construction Video Survey	Lump Sum	1	\$ 2,500	\$2,500	\$1,520.00	\$1,520.00	\$2,500.00	\$2,500.00	\$1,520.00	\$1,520.00	\$1,499.00	\$1,499.00	\$1,470.00	\$1,470.00	\$1,545.00	\$1,545.00	\$2,560.00	\$2,560.00
3	Traffic Control	Lump Sum	1	\$ 5,000	\$5,000	\$28,000.00	\$28,000.00	\$2,500.00	\$2,500.00	\$7,000.00	\$7,000.00	\$2,040.00	\$2,040.00	\$17,800.00	\$17,800.00	\$1,900.00	\$1,900.00	\$3,700.00	\$3,700.00
4	Soil Erosion Control	Lump Sum	1	\$ 5,000	\$5,000	\$1,000.00	\$1,000.00	\$2,500.00	\$2,500.00	\$1,000.00	\$1,000.00	\$4,142.00	\$4,142.00	\$7,850.00	\$7,850.00	\$2,500.00	\$2,500.00	\$3,800.00	\$3,800.00
5	Dust Palliative, Applied	Ton	20	\$ 140	\$2,800	\$0.01	\$0.20	\$50.00	\$1,000.00	\$0.01	\$0.20	\$255.00	\$5,100.00	\$435.00	\$8,700.00	\$350.00	\$7,000.00	\$500.00	\$10,000.00
6	Water for Dust Control	Gallon	25,000	\$ 0.15	\$3,750	\$0.01	\$250.00	\$0.10	\$2,500.00	\$0.01	\$250.00	\$0.13	\$3,250.00	\$0.10	\$2,500.00	\$0.25	\$6,250.00	\$0.38	\$9,500.00
7	Tree Removal & Trimming	Lump Sum	1	\$ 10,000	\$10,000	\$15,000.00	\$15,000.00	\$1,500.00	\$1,500.00	\$1,000.00	\$1,000.00	\$4,590.00	\$4,590.00	\$10,000.00	\$10,000.00	\$1,500.00	\$1,500.00	\$4,940.00	\$4,940.00
8	Subgrade Undercutting, Type II	Cyd	100	\$ 15.00	\$1,500	\$18.00	\$1,800.00	\$0.01	\$1.00	\$12.00	\$1,200.00	\$21.25	\$2,125.00	\$26.00	\$2,600.00	\$16.20	\$1,620.00	\$19.00	\$1,900.00
9	Trench Undercutting and Backfill	Cyd	100	\$ 20.00	\$2,000	\$14.00	\$1,400.00	\$0.01	\$1.00	\$30.00	\$3,000.00	\$14.25	\$1,425.00	\$55.00	\$5,500.00	\$20.00	\$2,000.00	\$23.00	\$2,300.00
10	Remove HMA Surface	Syd	2,100	\$ 5.00	\$10,500	\$1.80	\$3,780.00	\$4.00	\$8,400.00	\$2.00	\$4,200.00	\$7.40	\$15,540.00	\$11.00	\$23,100.00	\$3.15	\$6,615.00	\$5.38	\$11,298.00
11	Remove Concrete Driveway	Sft	1,100	\$ 1.25	\$1,375	\$1.00	\$1,100.00	\$3.00	\$3,300.00	\$2.00	\$2,200.00	\$1.35	\$1,485.00	\$2.00	\$2,200.00	\$0.40	\$440.00	\$2.00	\$2,200.00
12	Remove HMA Driveway	Syd	1,400	\$ 5.00	\$7,000	\$1.80	\$2,520.00	\$4.00	\$5,600.00	\$2.00	\$2,800.00	\$3.90	\$5,460.00	\$11.00	\$15,400.00	\$3.15	\$4,410.00	\$7.11	\$9,954.00
13	Remove Concrete Curb & Gutter	Ft	260	\$ 7.50	\$1,950	\$4.00	\$1,040.00	\$7.00	\$1,820.00	\$8.00	\$2,080.00	\$4.50	\$1,170.00	\$8.00	\$2,080.00	\$3.50	\$910.00	\$7.80	\$2,028.00
14	Remove Concrete Sidewalk	Sft	300	\$ 1	\$300	\$1.00	\$300.00	\$3.00	\$900.00	\$2.00	\$600.00	\$1.05	\$315.00	\$1.00	\$300.00	\$0.45	\$135.00	\$1.17	\$351.00
15	Remove Hydrant	Each	6	\$ 250	\$1,500	\$150.00	\$900.00	\$150.00	\$900.00	\$400.00	\$2,400.00	\$456.25	\$2,737.50	\$480.00	\$2,880.00	\$225.00	\$1,350.00	\$280.00	\$1,680.00
16	Abandon Existing Valve	Each	20	\$ 250	\$5,000	\$125.00	\$2,500.00	\$50.00	\$1,000.00	\$250.00	\$5,000.00	\$40.20	\$804.00	\$480.00	\$9,600.00	\$150.00	\$3,000.00	\$200.00	\$4,000.00
17	8" inch Watermain	Ft	5,800	\$ 43	\$249,400	\$27.25	\$158,050.00	\$45.00	\$261,000.00	\$40.00	\$232,000.00	\$48.55	\$281,590.00	\$38.00	\$220,400.00	\$38.10	\$220,980.00	\$45.00	\$261,000.00
18	6" inch Watermain	Ft	250	\$ 38	\$9,500	\$23.50	\$5,875.00	\$50.00	\$12,500.00	\$40.00	\$10,000.00	\$46.00	\$11,500.00	\$51.00	\$12,750.00	\$34.55	\$8,637.50	\$61.00	\$15,250.00
19	4" inch Watermain	Ft	40	\$ 35	\$1,400	\$21.00	\$840.00	\$50.00	\$2,000.00	\$40.00	\$1,600.00	\$51.00	\$2,040.00	\$48.00	\$1,920.00	\$32.61	\$1,304.40	\$59.00	\$2,360.00
20	Connect to Existing Watermain	Each	4	\$ 1,300	\$5,200	\$1,000.00	\$4,000.00	\$1,000.00	\$4,000.00	\$3,500.00	\$14,000.00	\$2,125.00	\$8,500.00	\$2,867.00	\$11,468.00	\$1,748.00	\$6,992.00	\$1,752.00	\$7,008.00
21	Cut & Plug Existing Watermain	Each	6	\$ 700	\$4,200	\$250.00	\$1,500.00	\$500.00	\$3,000.00	\$500.00	\$3,000.00	\$189.00	\$1,134.00	\$604.00	\$3,624.00	\$1,300.00	\$7,800.00	\$638.00	\$3,828.00
22	8" x 8" x 8" Tee	Each	4	\$ 450	\$1,800	\$575.00	\$2,300.00	\$500.00	\$2,000.00	\$400.00	\$1,600.00	\$341.00	\$1,364.00	\$385.00	\$1,540.00	\$787.48	\$3,149.92	\$520.00	\$2,080.00
23	8" x 8" x 6" Tee	Each	12	\$ 400	\$4,800	\$500.00	\$6,000.00	\$500.00	\$6,000.00	\$400.00	\$4,800.00	\$298.00	\$3,576.00	\$335.00	\$4,020.00	\$743.20	\$8,918.40	\$510.00	\$6,120.00
24	8" x 8" x 4" Tee	Each	1	\$ 390	\$390	\$450.00	\$450.00	\$500.00	\$500.00	\$400.00	\$400.00	\$285.00	\$285.00	\$295.00	\$295.00	\$743.20	\$743.20	\$500.00	\$500.00
25	8" Valve and Box	Each	16	\$ 1,300	\$20,800	\$1,450.00	\$23,200.00	\$1,250.00	\$20,000.00	\$1,250.00	\$20,000.00	\$1,305.00	\$20,880.00	\$1,580.00	\$25,280.00	\$1,291.92	\$20,670.72	\$1,230.00	\$19,680.00
26	6" Valve and Box	Each	13	\$ 1,000	\$13,000	\$1,000.00	\$13,000.00	\$850.00	\$11,050.00	\$825.00	\$10,725.00	\$970.00	\$12,610.00	\$1,250.00	\$16,250.00	\$946.94	\$12,310.22	\$880.00	\$11,440.00
27	8" x 45" Bend	Each	20	\$ 250	\$5,000	\$370.00	\$7,400.00	\$325.00	\$6,500.00	\$200.00	\$4,000.00	\$208.00	\$4,160.00	\$230.00	\$4,600.00	\$431.68	\$8,633.60	\$390.00	\$7,800.00
28	8" x 22.5" Bend	Each	10	\$ 240	\$2,400	\$370.00	\$3,700.00	\$325.00	\$3,250.00	\$200.00	\$2,000.00	\$206.00	\$2,060.00	\$226.00	\$2,260.00	\$429.46	\$4,294.60	\$390.00	\$3,900.00
29	8" x 6" Reducer	Each	2	\$ 270	\$540	\$320.00	\$640.00	\$300.00	\$600.00	\$400.00	\$800.00	\$167.00	\$334.00	\$193.00	\$386.00	\$461.76	\$923.52	\$330.00	\$660.00
30	4" x 45" Bend	Each	2	\$ 190	\$380	\$220.00	\$440.00	\$200.00	\$400.00	\$200.00	\$400.00	\$130.00	\$260.00	\$118.00	\$236.00	\$370.30	\$740.60	\$380.00	\$760.00
31	4" x 3" Reducer	Each	1	\$ 180	\$180	\$220.00	\$220.00	\$200.00	\$200.00	\$200.00	\$200.00	\$127.00	\$127.00	\$110.00	\$110.00	\$370.30	\$370.30	\$380.00	\$380.00
32	8" Cap	Each	2	\$ 280	\$560	\$220.00	\$440.00	\$200.00	\$400.00	\$200.00	\$400.00	\$133.00	\$266.00	\$119.00	\$238.00	\$324.00	\$648.00	\$300.00	\$600.00
33	6" Plug	Each	2	\$ 250	\$500	\$220.00	\$440.00	\$150.00	\$300.00	\$200.00	\$400.00	\$107.00	\$214.00	\$103.00	\$206.00	\$328.45	\$656.90	\$300.00	\$600.00
34	Fire Hydrant	Each	13	\$ 2,500	\$32,500	\$2,725.00	\$35,425.00	\$2,500.00	\$32,500.00	\$2,500.00	\$32,500.00	\$2,535.00	\$32,955.00	\$3,000.00	\$39,000.00	\$2,547.50	\$33,117.50	\$2,660.00	\$34,580.00
35	8" Watermain Offset	Each	20	\$ 1,200	\$24,000	\$100.00	\$2,000.00	\$50.00	\$1,000.00	\$100.00	\$2,000.00	\$1,362.00	\$27,240.00	\$1,560.00	\$31,200.00	\$1,294.70	\$25,894.00	\$2,160.00	\$43,200.00
36	1" Corporation Stop	Each	120	\$ 300	\$36,000	\$250.00	\$30,000.00	\$200.00	\$24,000.00	\$100.00	\$12,000.00	\$250.00	\$30,000.00	\$240.00	\$28,800.00	\$276.83	\$33,219.60	\$500.00	\$60,000.00
37	1 1/2" Corporation Stop	Each	2	\$ 320	\$640	\$350.00	\$700.00	\$300.00	\$600.00	\$250.00	\$500.00	\$375.00	\$750.00	\$300.00	\$600.00	\$357.86	\$715.72	\$730.00	\$1,460.00
38	2" Corporation Stop	Each	5	\$ 370	\$1,850	\$500.00	\$2,500.00	\$400.00	\$2,00										

DELTA CHARTER TOWNSHIP

CONTRACT B - MICHIGAN AVENUE 2014 WATER SYSTEM IMPROVEMENTS

BID TABULATION

Date 4.15.14  
PM SMB  
Project No. 817290

Item No.	Item Description	Unit	Estimated Quantity	Engineer's Estimate		Leavitt & Stark Excaating, Inc		C.L. Trucking & Excavating, LLC		C&D Hughes, Inc.		E.T. MacKenzie Company	
				Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount
1	General Conditions, Bonds, and Insurances, Max. 5%	Lump Sum	1	\$ 40,000	\$40,000	\$50,000.00	\$50,000.00	\$55,000.00	\$55,000.00	\$52,000.00	\$52,000.00	\$18,462.00	\$18,462.00
2	Pre-Construction Video Survey	Lump Sum	1	\$ 2,500	\$2,500	\$1,400.00	\$1,400.00	\$1,500.00	\$1,500.00	\$2,500.00	\$2,500.00	\$1,292.00	\$1,292.00
3	Minor Traffic Control	Lump Sum	1	\$ 6,000	\$6,000	\$1,500.00	\$1,500.00	\$23,750.00	\$23,750.00	\$10,000.00	\$10,000.00	\$1,148.00	\$1,148.00
4	Pavement Marking Cover, Type R, Gray	Ft	5,500	\$ 1.50	\$8,250	\$1.74	\$9,570.00	\$1.35	\$7,425.00	\$1.65	\$9,075.00	\$1.70	\$9,350.00
5	42" Channelizing Device, Furn & Oper	Each	140	\$ 10	\$1,400	\$9.72	\$1,360.80	\$9.25	\$1,295.00	\$9.25	\$1,295.00	\$13.00	\$1,820.00
6	Pavt Mrkg, Type R, 4 inch, Yellow, Temp	Ft	3,500	\$ 1.50	\$5,250	\$1.37	\$4,795.00	\$1.35	\$4,725.00	\$1.30	\$4,550.00	\$1.35	\$4,725.00
7	Barricade, Type III, High Intensity, Lighted, Furn & Oper	Each	33	\$ 50	\$1,650	\$47.25	\$1,559.25	\$45.00	\$1,485.00	\$45.00	\$1,485.00	\$65.00	\$2,145.00
8	Lighted Arrow, Type C, Furn & Oper	Each	2	\$ 450	\$900	\$378.00	\$756.00	\$360.00	\$720.00	\$360.00	\$720.00	\$459.00	\$918.00
9	Sign, Type B, Temp, Prismatic, Furn & Oper	Sft	400	\$ 4.50	\$1,800	\$3.15	\$1,260.00	\$3.00	\$1,200.00	\$3.00	\$1,200.00	\$3.05	\$1,220.00
10	Sign Cover	Each	1	\$ 50	\$50	\$26.25	\$26.25	\$25.00	\$25.00	\$25.00	\$25.00	\$25.50	\$25.50
11	Detour	Lsum	1	\$ 10,000	\$10,000	\$1,470.00	\$1,470.00	\$3,500.00	\$3,500.00	\$1,400.00	\$1,400.00	\$765.00	\$765.00
12	Soil Erosion Control	Lump Sum	1	\$ 2,500	\$2,500	\$2,999.90	\$2,999.90	\$11,200.00	\$11,200.00	\$1,000.00	\$1,000.00	\$3,220.00	\$3,220.00
13	Dust Palliative, Applied	Ton	11	\$ 140	\$1,540	\$500.00	\$5,500.00	\$50.00	\$550.00	\$0.01	\$0.11	\$367.00	\$4,037.00
14	Water for Dust Control	Gallon	15,000	\$ 0.15	\$2,250	\$0.36	\$5,400.00	\$0.01	\$150.00	\$0.01	\$150.00	\$0.13	\$1,950.00
15	Tree Removal & Trimming	Lump Sum	1	\$ 1,000	\$1,000	\$1,500.00	\$1,500.00	\$1.00	\$1.00	\$1,000.00	\$1,000.00	\$2,177.00	\$2,177.00
16	Subgrade Undercutting, Type II	Cyd	100	\$ 15	\$1,500	\$23.00	\$2,300.00	\$18.00	\$1,800.00	\$12.00	\$1,200.00	\$25.95	\$2,595.00
17	Trench Undercutting and Backfill	Cyd	100	\$ 20	\$2,000	\$28.00	\$2,800.00	\$18.00	\$1,800.00	\$30.00	\$3,000.00	\$12.90	\$1,290.00
18	Remove HMA Surface	Syd	10,500	\$ 2	\$21,000	\$2.91	\$30,555.00	\$2.25	\$23,625.00	\$2.00	\$21,000.00	\$7.05	\$74,025.00
19	Temporary Aggregate Surface	Syd	3,200	\$ 3	\$9,600	\$4.59	\$14,688.00	\$1.00	\$3,200.00	\$1.00	\$3,200.00	\$7.60	\$24,320.00
20	Remove Concrete Driveway	Sft	1,100	\$ 1.25	\$1,375	\$0.52	\$572.00	\$0.50	\$550.00	\$2.00	\$2,200.00	\$1.00	\$1,100.00
21	Remove HMA Driveway	Syd	500	\$ 10	\$5,000	\$1.72	\$860.00	\$2.00	\$1,000.00	\$2.00	\$1,000.00	\$3.30	\$1,650.00
22	Remove Concrete Curb & Gutter	Ft	1,900	\$ 7.50	\$14,250	\$5.92	\$11,248.00	\$6.00	\$11,400.00	\$5.00	\$9,500.00	\$3.80	\$7,220.00
23	Remove Concrete Sidewalk	Sft	5,100	\$ 1	\$5,100	\$0.33	\$1,683.00	\$0.50	\$2,550.00	\$2.00	\$10,200.00	\$0.55	\$2,805.00
24	Remove Hydrant	Each	4	\$ 250	\$1,000	\$299.00	\$1,196.00	\$500.00	\$2,000.00	\$500.00	\$2,000.00	\$511.00	\$2,044.00
25	Abandon Existing Valve	Each	30	\$ 250	\$7,500	\$104.00	\$3,120.00	\$150.00	\$4,500.00	\$300.00	\$9,000.00	\$40.20	\$1,206.00
26	Hold Power Pole	Each	2	\$ 1,000	\$2,000	\$468.00	\$936.00	\$250.00	\$500.00	\$500.00	\$1,000.00	\$565.00	\$1,130.00
27	12" inch Watermain	Ft	3,700	\$ 57	\$210,900	\$49.00	\$181,300.00	\$65.75	\$243,275.00	\$68.00	\$251,600.00	\$86.35	\$319,495.00
28	8" inch Watermain	Ft	750	\$ 43	\$32,250	\$52.00	\$39,000.00	\$45.00	\$33,750.00	\$65.00	\$48,750.00	\$170.00	\$127,500.00
29	6" inch Watermain	Ft	110	\$ 38	\$4,180	\$20.00	\$2,200.00	\$40.00	\$4,400.00	\$60.00	\$6,600.00	\$54.50	\$5,995.00
30	Connect to Existing Watermain	Each	21	\$ 1,300	\$27,300	\$887.00	\$18,627.00	\$1,200.00	\$25,200.00	\$3,000.00	\$63,000.00	\$1,816.00	\$38,136.00
31	Cut & Plug Existing Watermain	Each	20	\$ 700	\$14,000	\$399.00	\$7,980.00	\$300.00	\$6,000.00	\$500.00	\$10,000.00	\$395.00	\$7,900.00
32	12" x 12" x 12" Tee	Each	2	\$ 750	\$1,500	\$860.50	\$1,721.00	\$1,200.00	\$2,400.00	\$700.00	\$1,400.00	\$810.00	\$1,620.00
33	12" x 12" x 8" Tee	Each	13	\$ 650	\$8,450	\$747.50	\$9,717.50	\$900.00	\$11,700.00	\$550.00	\$7,150.00	\$528.00	\$6,864.00
34	12" x 12" x 6" Tee	Each	2	\$ 550	\$1,100	\$697.50	\$1,395.00	\$850.00	\$1,700.00	\$500.00	\$1,000.00	\$478.00	\$956.00
35	8" x 8" x 8" Tee	Each	2	\$ 450	\$900	\$562.50	\$1,125.00	\$575.00	\$1,150.00	\$500.00	\$1,000.00	\$342.00	\$684.00
36	8" x 8" x 6" Tee	Each	6	\$ 400	\$2,400	\$522.50	\$3,135.00	\$500.00	\$3,000.00	\$350.00	\$2,100.00	\$431.00	\$2,586.00
37	6" x 6" x 6" Tee	Each	1	\$ 350	\$350	\$522.50	\$522.50	\$425.00	\$425.00	\$300.00	\$300.00	\$222.00	\$222.00
38	12" Valve and Box	Each	9	\$ 2,200	\$19,800	\$2,147.50	\$19,327.50	\$2,750.00	\$24,750.00	\$2,000.00	\$18,000.00	\$2,221.00	\$19,989.00
39	8" Valve and Box	Each	22	\$ 1,300	\$28,600	\$1,253.50	\$27,577.00	\$1,650.00	\$36,300.00	\$1,200.00	\$26,400.00	\$1,388.00	\$30,536.00
40	6" Valve and Box	Each	8	\$ 1,000	\$8,000	\$924.50	\$7,396.00	\$1,250.00	\$10,000.00	\$800.00	\$6,400.00	\$1,060.00	\$8,480.00
41	12" x 90° Bend	Each	2	\$ 580	\$1,160	\$667.50	\$1,335.00	\$850.00	\$1,700.00	\$500.00	\$1,000.00	\$447.00	\$894.00
42	12" x 45° Bend	Each	4	\$ 540	\$2,160	\$627.50	\$2,510.00	\$750.00	\$3,000.00	\$500.00	\$2,000.00	\$406.00	\$1,624.00
43	12" x 22 1/2° Bend	Each	2	\$ 520	\$1,040	\$603.50	\$1,207.00	\$670.00	\$1,340.00	\$500.00	\$1,000.00	\$383.00	\$766.00
44	12" x 11 1/4° Bend	Each	1	\$ 515	\$515	\$593.50	\$593.50	\$650.00	\$650.00	\$500.00	\$500.00	\$372.00	\$372.00
45	8" x 45° Bend	Each	28	\$ 275	\$7,700	\$432.50	\$12,110.00	\$375.00	\$10,500.00	\$200.00	\$5,600.00	\$208.00	\$5,824.00
46	8" x 22.5° Bend	Each	2	\$ 240	\$480	\$429.50	\$859.00	\$375.00	\$750.00	\$300.00	\$600.00	\$206.00	\$412.00
47	8" x 11.25° Bend	Each	1	\$ 230	\$230	\$429.50	\$429.50	\$345.00	\$345.00	\$300.00	\$300.00	\$206.00	\$206.00



DELTA CHARTER TOWNSHIP

CONTRACT B - MICHIGAN AVENUE 2014 WATER SYSTEM IMPROVEMENTS

BID TABULATION

Date 4.15.14  
PM SMB  
Project No. 817290

Item No.	Item Description	Unit	Estimated Quantity	Engineer's Estimate		Leavitt & Stark Excaating, Inc		C.L. Trucking & Excavating, LLC		C&D Hughes, Inc.		E.T. MacKenzie Company	
				Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount
48	12" x 8" Reducer	Each	2	\$ 425	\$850	\$532.50	\$1,065.00	\$525.00	\$1,050.00	\$500.00	\$1,000.00	\$311.00	\$622.00
49	8" x 6" Reducer	Each	9	\$ 270	\$2,430	\$391.50	\$3,523.50	\$325.00	\$2,925.00	\$200.00	\$1,800.00	\$167.00	\$1,503.00
50	6" x 3" Reducer	Each	1	\$ 250	\$250	\$378.50	\$378.50	\$250.00	\$250.00	\$200.00	\$200.00	\$140.00	\$140.00
51	6" x 90° Bend	Each	4	\$ 220	\$880	\$387.50	\$1,550.00	\$300.00	\$1,200.00	\$200.00	\$800.00	\$163.00	\$652.00
52	6" x 45° Bend	Each	2	\$ 200	\$400	\$372.50	\$745.00	\$275.00	\$550.00	\$300.00	\$600.00	\$148.00	\$296.00
53	Fire Hydrant	Each	8	\$ 2,500	\$20,000	\$2,319.00	\$18,552.00	\$3,000.00	\$24,000.00	\$2,500.00	\$20,000.00	\$2,676.00	\$21,408.00
54	12" Watermain Offset	Each	2	\$ 2,000	\$4,000	\$3,508.00	\$7,016.00	\$3,465.00	\$6,930.00	\$4,000.00	\$8,000.00	\$3,205.00	\$6,410.00
55	8" Watermain Offset	Each	2	\$ 1,200	\$2,400	\$2,274.00	\$4,548.00	\$1,750.00	\$3,500.00	\$4,000.00	\$8,000.00	\$2,360.00	\$4,720.00
56	1" Corporation Stop	Each	35	\$ 300	\$10,500	\$325.00	\$11,375.00	\$450.00	\$15,750.00	\$100.00	\$3,500.00	\$304.00	\$10,640.00
57	1 1/2" Corporation Stop	Each	2	\$ 320	\$640	\$426.00	\$852.00	\$600.00	\$1,200.00	\$150.00	\$300.00	\$420.00	\$840.00
58	2" Corporation Stop	Each	5	\$ 370	\$1,850	\$548.00	\$2,740.00	\$700.00	\$3,500.00	\$250.00	\$1,250.00	\$545.00	\$2,725.00
59	1" Water Service	Ft	1,800	\$ 20	\$36,000	\$15.38	\$27,684.00	\$18.50	\$33,300.00	\$32.50	\$58,500.00	\$20.25	\$36,450.00
60	1 1/2" Water Service	Ft	20	\$ 27	\$540	\$23.00	\$460.00	\$34.00	\$680.00	\$50.00	\$1,000.00	\$40.00	\$800.00
61	2" Water Service	Ft	200	\$ 38	\$7,600	\$25.00	\$5,000.00	\$40.00	\$8,000.00	\$55.00	\$11,000.00	\$33.00	\$6,600.00
62	1" Curb Stop & Box	Each	40	\$ 350	\$14,000	\$188.00	\$7,520.00	\$300.00	\$12,000.00	\$550.00	\$22,000.00	\$207.00	\$8,280.00
63	1 1/2" Curb Stop & Box	Each	2	\$ 400	\$800	\$340.00	\$680.00	\$500.00	\$1,000.00	\$1,000.00	\$2,000.00	\$375.00	\$750.00
64	2" Curb Stop & Box	Each	5	\$ 500	\$2,500	\$428.00	\$2,140.00	\$600.00	\$3,000.00	\$1,300.00	\$6,500.00	\$486.00	\$2,430.00
65	Auger Water Service	Each	20	\$ 450	\$9,000	\$247.50	\$4,950.00	\$600.00	\$12,000.00	\$820.00	\$16,400.00	\$463.00	\$9,260.00
66	Reconnect Existing Water Service	Each	40	\$ 150	\$6,000	\$124.00	\$4,960.00	\$100.00	\$4,000.00	\$50.00	\$2,000.00	\$198.00	\$7,920.00
67	Subbase, CIP	Cyd	3,500	\$ 12	\$42,000	\$20.75	\$72,625.00	\$10.85	\$37,975.00	\$12.00	\$42,000.00	\$16.20	\$56,700.00
68	Concrete Curb and Gutter	Ft	1,900	\$ 20	\$38,000	\$16.75	\$31,825.00	\$18.00	\$34,200.00	\$15.25	\$28,975.00	\$16.60	\$31,540.00
69	8" Aggregate Base	Syd	10,500	\$ 4.50	\$47,250	\$6.36	\$66,780.00	\$6.35	\$66,675.00	\$6.00	\$63,000.00	\$6.50	\$68,250.00
70	HMA, 13A	Ton	4,000	\$ 65	\$260,000	\$57.25	\$229,000.00	\$57.00	\$228,000.00	\$54.50	\$218,000.00	\$55.60	\$222,400.00
71	HMA, Approach	Ton	10	\$ 100	\$1,000	\$103.95	\$1,039.50	\$125.00	\$1,250.00	\$99.00	\$990.00	\$101.00	\$1,010.00
72	Protect or Replace Section Corner	Each	1	\$ 1,000	\$1,000	\$1,000.00	\$1,000.00	\$1,200.00	\$1,200.00	\$1,000.00	\$1,000.00	\$920.00	\$920.00
73	Dr Structure Cover, Adj, Case 1	Each	15	\$ 275	\$4,125	\$375.00	\$5,625.00	\$450.00	\$6,750.00	\$400.00	\$6,000.00	\$433.00	\$6,495.00
74	6" Nonreinforced Concrete Driveway	Sft	1,100	\$ 4.50	\$4,950	\$3.80	\$4,180.00	\$4.00	\$4,400.00	\$3.45	\$3,795.00	\$4.45	\$4,895.00
75	4" Concrete Sidewalk	Sft	1,900	\$ 3	\$5,700	\$3.17	\$6,023.00	\$3.40	\$6,460.00	\$2.90	\$5,510.00	\$3.55	\$6,745.00
76	6" Concrete Sidewalk	Sft	800	\$ 4	\$3,200	\$3.80	\$3,040.00	\$4.00	\$3,200.00	\$3.45	\$2,760.00	\$3.70	\$2,960.00
77	6" Concrete Sidewalk Ramp, ADA	Sft	2,400	\$ 5	\$12,000	\$6.69	\$16,056.00	\$5.50	\$13,200.00	\$5.75	\$13,800.00	\$4.75	\$11,400.00
78	Dectable Warning Surface	Ft	120	\$ 50	\$6,000	\$68.25	\$8,190.00	\$65.00	\$7,800.00	\$62.00	\$7,440.00	\$65.30	\$7,836.00
79	Pavt Mrkg, Waterborne, 4 inch, Yellow	Ft	7,650	\$ 0.32	\$2,448	\$0.13	\$994.50	\$0.12	\$918.00	\$0.12	\$918.00	\$0.12	\$918.00
80	Pavt Mrkg, Waterborne, 4 inch, White	Ft	2,050	\$ 0.32	\$656	\$0.13	\$266.50	\$0.12	\$246.00	\$0.12	\$246.00	\$0.12	\$246.00
81	Pavt Mrkg, Ovly Cold Plastic, 12" Crosswalk	Ft	280	\$ 4	\$1,120	\$4.20	\$1,176.00	\$4.00	\$1,120.00	\$4.00	\$1,120.00	\$4.10	\$1,148.00
82	Pavt Mrkg, Ovly Cold Plastic, 6" Crosswalk	Ft	160	\$ 3	\$480	\$2.10	\$336.00	\$2.00	\$320.00	\$2.00	\$320.00	\$2.05	\$328.00
83	Pavt Mrkg, Ovly Cold Plastic, Symbol, 24" Stop Bar	Ft	67	\$ 8	\$536	\$8.40	\$562.80	\$8.00	\$536.00	\$8.00	\$536.00	\$8.15	\$546.05
84	Pavt Mrkg, Ovly Cold Plastic, Symbol, Rt Turn Arrow	Each	1	\$ 250	\$250	\$141.75	\$141.75	\$135.00	\$135.00	\$135.00	\$135.00	\$137.00	\$137.00
85	Pavt Mrkg, Ovly Cold Plastic, Symbol, Thru Arrow	Each	2	\$ 250	\$500	\$110.25	\$220.50	\$105.00	\$210.00	\$105.00	\$210.00	\$107.00	\$214.00
86	Pavt Mrkg, Ovly Cold Plastic, Symbol, Lt Turn Arrow	Each	1	\$ 250	\$250	\$141.75	\$141.75	\$135.00	\$135.00	\$135.00	\$135.00	\$137.00	\$137.00
87	Pavt Mrkg, Ovly Cold Plastic, Symbol, "Only"	Each	4	\$ 300	\$1,200	\$152.25	\$609.00	\$145.00	\$580.00	\$145.00	\$580.00	\$147.00	\$588.00
88	Surface Restoration	Ft	3,700	\$ 4	\$14,800	\$2.21	\$8,177.00	\$6.00	\$22,200.00	\$3.00	\$11,100.00	\$3.20	\$11,840.00
89	Mulch Blanket	Syd	200	\$ 1.50	\$300	\$2.25	\$450.00	\$1.50	\$300.00	\$2.00	\$400.00	\$2.00	\$400.00
				TOTALS:	\$1,096,835		\$1,063,321.00		\$1,160,431.00		\$1,177,820.11		\$1,313,399.55

April 14, 2014

To: Delta Township Board

From: Mark Graham, Community Development Department Director  
Gary Arnold, Township Engineer

Subject: Proposed Detention Basin on Mt. Hope Park Property

### **Background**

On December 16, 2013 the Township Board reviewed the preliminary plat for the remaining 34 lots in the Pointe West Subdivision. Several Pointe West residents expressed concerns regarding storm drainage, most recently related to a June 12, 2013 storm event.

On January 14, 2014 Township staff conducted an informational meeting at the Township Hall to discuss the drainage concerns with residents. During the past two months staff has exchanged information with the Pointe West developer, Mike McGraw of Eastbrook Homes, and his engineer, Jeff Kyes, in an attempt to address the drainage concerns. On April 10, 2014 Mr. Kyes provided Township staff with a sketch (see attached) of a proposed detention basin on the Township's Mt. Hope Park property. Staff has attached an aerial photo depicting the location of the Pointe West development and the Park.

### **Proposal**

It's estimated that the northernmost 26 acres of the 60 acre Park property and 5.5 acres of the Roby property (west of the Park property) surface drain to the north towards the Pointe West Subdivision. There's also 13 acres of the Park property that currently drain to the Campbell property (east of the Park property) which will eventually drain to the basin when the Park is developed. In addition, there are clay field tile in the area which apparently drain to the north.

Mr. McGraw has proposed to install a detention basin on the northern portion of the Mt. Hope Park property to receive the stormwater runoff from the parcels to the south. Mr. McGraw would pay the cost of excavating the basin, restoration of the disturbed area, and installation of an outlet pipe to the proposed storm drain in the southwest corner of the Pointe West Subdivision.

We offer the following specifics regarding the proposed basin:

- The basin has been designed with adequate volume to accept the runoff from the future development of the northernmost 26 acres of the Park which was factored at a runoff coefficient of .35.

- The location of the basin was determined by the natural grades in the area.
- The deepest portion of the basin would be approximately 3 ½ ft. deep with 1 on 4 side slopes which would permit the basin to be mowed if necessary.
- It's estimated that the detention basin would occupy approximately 3 acres of the 60 acre Park property.
- The outlet pipe from the detention basin would have a restricted discharge of 2.4 cfs. It's estimated that the present runoff is approximately 8 cfs.
- A 40 ft. wide easement area is proposed from Pointe West Subdivision to the Park which will accommodate future water and sanitary sewer extensions to the park property as well as access to the basin for maintenance.
- The intent is to have the basin dedicated to the Eaton County Drain Commissioner who would be responsible for future maintenance.
- The basin has been designed as a "drain dry" facility. There are no plans to fence the perimeter of the pond.
- If the outlet to the basin became plugged, the basin would overflow onto the park property.
- The basin has been designed such that pedestrian access can be provided from the Park to the Ashford Manor and Pointe West Subdivisions.

### Timing

Mr. McGraw has indicated that if he receives approval from the Township Board to locate the proposed basin on the Township's property, he would install the basin in the spring of 2014. Staff has placed this item on the agenda of the April 21, 2014 Township Board meeting for discussion.

Attorney George Brookover, representing the Pointe West Homeowner's Association, and the Eaton County Drain Commissioner have been notified of the April 21<sup>st</sup> meeting. If the Township Board consents to the installation of the pond on the Park property, staff suggests that a two party agreement be drafted specifying the responsibilities of developer McGraw and Delta Township.

C:\rpt\studies\Mt Hope Park Detention Pond #2